1882
(L.R.)

File No. 45-82
Serial No 1-57.

Sub. Claims of Dattatripit Danga
of the Bisangiri Mutt to
certain coffee lands on the
Balabudden Hills.

(General Serial No. 31.)

1883.

From

To The Secretary

Dated 16 January 83

Despatched —

Received

Enclosures No.

General No. 699
No. 31

With reference to his letter No. 49 of the 14th Jan 1881. to the Govt of Aden, regarding to be informed what decision has been come to regarding the claim of Govt the Khedive, Khan-Bahadur, to certain lands at Aden. A copy of the Aden Register of the case shall be forwarded.

B.O

1/1/83

Ret

(Serial No. 61.)

No. 65

Bangalore 2nd February 1883.

From

The Inám Superintendent in Mysore.

To

~~The Secretary to the Government~~
~~Inam Commissioner in Mysore.~~
of Mysore

Despatched 3rd February 1882-83

Received 18 .

Enclosures. Nil (2)

~~REFERENCE.~~

~~Your No.~~ ~~dated~~ ~~18~~ .

LR 45-82-2

Nil for Record
3/2/83

I have the honor to refer to Your Office Memo No. 6201/81 of the 16th January 1883, requesting to be informed in what decision has been come to regarding the claim of Ganesh Sitaráma Khán Bahadur to certain Coffee Lands as Inam.

In reply, I have the honor to inform that the papers connected with the above have been forwarded to the Survey Department for settlement.

No Inam Register was prepared, the case being very similar to that of the Kalasa Temple in the Hiriyúr Taluk.

A report will in due course

course be indicated by the Survey Superin-
=tendent.

W Smith
Capt & Deputy [redacted] C.

51

(General Serial No. 29.)

1884

From The Deputy Commissioner
Kadur District.

To

The Secretary to the ~~Chief Commissioner~~ Dewan
of Mysore, General Department.

Dated 13th
Despatched 1884 February.
Received

Enclosures No. / Kadur Correspondence
General No. 586 } 1883–84.
No.

I have the honor to bring to your notice that in course of Rides 27-4-6 an account of local cess in addition to notice fees and interest is due to the Chickmaglur Bank by Khan Bahadur Sha Gouse Shah Kadri on account of Local cess on his Jahagir Lands in the Balaghaut Hills.

I have shown to the Correspondence will show the greatest consideration to the Mohamadan, knowing him to be in difficulties, but

Dr 45-88-3

* the whole file of papers.

No. 284

I have the honor to submit the Annual Report (which is only due in August) Abstract for Counties as per R. for the year 1881-82 and Expenses for the year 1882-83.

The School question & the Half Breed Management of his Estate has been and before Government, & therefore, request the favor of instructions as to whether pending the final settlement of the Estate I should have the matter in abeyance or whether I should at once adopt certain measures.

Madam the honor to be

Sir,

Your most obedient Servant

G. McDougall

Deputy Commissioner

Keewatin District.

M.M.

(General Serial No. 31.)

1884.

From

To Mead:

Letter No. 586 of the 18th ult. with enquiry from the Director Dehra Dun, regarding the Despatched Boundary Survey and other Received Papers, please send

Enclosures No.

General No.

No.

Subject. Fo 6277-8 & 19/3/84

Secretary of State's Despatch

Secretary of State's Despatch being under consideration of the Survey Dept., it is necessary to call upon the Surveyor General for Mr. Mead. The Secretary of State's Despatch will be considered & finally the decision which shall be communicated for the information & guidance of the Survey Department.

Fo 6277-8 & 19.3.84.

R.G.

I do not think any reply to Secretary of State's despatch is called for, & this Govt Order No 621 of 10th Dec 1883 & the Survey Dept & his reply

1874.

From The Superintendent Trichinopoly

To

The Secretary to Govt. Commissioner, the Revenue General Department of Madras

Dated } Hamner
Despatched } 7th April 1874.
Received

LR 45-82-87

ENCLOSURES NO 13

General No. 111 } 1874-85
No.

Submitting a report upon the claims of the representatives of the Dasiahiya Balasundara Durga and the Biragni Kali respectively.

9.4.87
37
Vacancy

3 Inam Registers mentioned in para 11 of this letter are returned with this Office Lr 4242 87
44
31—10—87
Rly

No. 11 (1) Survey Superintendent's Office
Encl: 13 ~~Acres Guntahs Total~~
Bangalore 7th April 1884.

To,

The Secretary to the
Dewan of Mysore.

Sir,

I have the honor, with reference to Dewan's Order — No. 6277-8/348 dated 19th Ultimo, and preceding orders, to submit a report upon the claims of the representatives of the Dattatraya Baba Budan Darga and the Nissagri Matt, respectively, to hold as Inam certain Coffee lands, on the Baba Budan hills, and in the Bandwar Taluk, particulars of which, as now surveyed, are

are given below.

Villages	Area in acres Guntas.	Remarks
1	2	3
Dathatrifit —	2873.17	334 acres classed as unfit.
Kalagani —	940.30	82 acres classed as unfit.
Hegrehalli —	344.9	None classed as unfit but lands are very poor; situated in the old Banavar Taluk.

The coffee lands in Dathatraya fell which, it must be explained, is a new village, formed at the time of settlement, under the direction of Government, to include as nearly as possible those Ryots who had Kharab lands or specially enjoyed, in claimed by the Mahomedan Institution. The lands in Kalyani and Hegrehalli

are claimed by the Pizzagno Matt.

2 The action of the Inam Department, with regard to Matt Inams, has been, as may well be supposed from the indefinite character of the Inams, to leave the enquiry, even as regards validity, in a very incomplete state. The disposal of the Dattatraya pit Inam was very early handed over to the Survey Department as impracticable, in the absence of measurement. The Pizzagno Matt claim was

was disallowed but Justices to recommend a reconsideration of this decision as the Law is just as of long standing and in many opinions quite as much entitled to recognition as the Native Land Law. No action has been taken on the decision of the Law Council regarding the lands on the Pahalaudan Hills in Kolgoola, but in Mr Goldie's in the old Papawai Block

No.	Area.	Assessment.	Remarks.
73	1.29	1.0.0	On Hill top survey.
75	339.25	40.0.0	—do— —do—
77	2.25	1.4.0	On Hill for 3 years.

as a Mr Goldie as far as was made by the Deputy Commissioners. Whatever decision may

may be arrived at in the case of the Kolgani lands will also, I presume, apply to Hogrihalli.

3 Having regard to the indefinite character of the lands under report, there being no Bijwaris or limits of any kind in the old accounts, and to the situation of the lands claimed in an inaccessible part of the country, it is quite obvious that nothing whatever could have been done towards settlement until the land had been measured. I will not therefore burden this report with

with the valuations and
family and connections with
both parties to form a
Jaffna Maratha caste

I His Highness the Maha Rajah Nirup dated 12th February 1829 to the Lakvalli family.
II His Highness the Maha Rajah Nirup dated 15th August 1831 to Cathiresa Pillai.
III Dewan Katchery Nirup of 1832.

of the Nirups as per margin, with English Translations, having reference to the Dattaterayapillai claim. As regards the Virasami Matt claim, I append a Tamil copy and English Translation of a Nirup dated 17th October 1811. This is the only Nirup which the Virasami Matt refers to. Katchery can produce the original at the office

Lands and Nirups having been stated to have been lent:-

4- The annual Kadat on the average of 10 years has amounted to

——— Dattaripid - Rs: 549 —
——— Kolgavi —— Rs: - 568 —

According to this the two Institutions have respectively received, on an average, 2,195 and 2,272 maunds of Coffee annually. Very little reliance can be placed I think on these figures, especially those referring to the annual yield. The Deputy Commissioner in his letter No 73 of the 11th April 1883 attached* states that he

* Is enclosed

does not think the gardens in question have ever given anything like that yield but, considering the area and position, I do not myself see why the yield should not be even greater. Any nice calculation on this point is impossible, nor is it necessary to our present purpose.

5. In the same letter the Deputy Commissioner states that nearly all the gardens claimed by both Natts have been either heavily mortgaged or sold to others who pay the Natt 3 rents for

per

per annum, on the average. The
Estate has been paid since 1842.

6 I now come to the question
of an appropriate settlement
of these claims. Obviously the
settlement must satisfactory
to the actual holders would
be a commutation of the Inam
of both Institutions, to a money
payment, for then the assess=
ment could be fixed under
the very liberal Coffee rules
of 2nd August 1881, after due
consideration of the circum=
=stances of each Estate or
Garden, and the occupants
would hold direct from
Government. But such a

course

course would be far from pleasing to the Institutions concerned and would carry with it a lowering of their prestige and local influence which should, if possible, be avoided. On the other hand, the actual holder's of the land would feel no security if left to deal with the Matter under the very unsatisfactory existing tenure, or even under the new assessment, unless it was of a binding character, in short unless it was permanent. Considering the really fair character of

(11)

of the Matti claim I think that Government is bound to protect the sub tenants, in so far as improving their tenure will serve that end. I think, therefore, that while the lands claimed should be confirmed to the Inamdars, under the conditions shown further on, the superior and inferior holders should be mutually bound to give and accept a permanent tenure The rate laid down in the Coffee Rules for permanent assessment is Rs: 1.8.0 per acre and I do not think it too high for the garden

02.

on the Baba Budan hills, but it is too high for the Coffee lands in Mysore. The Deputy Commissioner should be allowed to use his discretion in modifying the rate according to circumstances but when the rate is fixed it should be permanent.

8 It is not easy to class the Inams now under report with much precision, under any of the Inam Rules. They appear in no fair account, nor do the Ninfos, upon which the claims are based, prove anything more than a desire, on the part of Government to show some consideration

consideration to the Institu=
=tions concerned, by exempting
them, within reasonable bounds
from the demands of the then
Coffee Contractor. There is
nothing to show how either
of the Loans first came into
existence. There is no mention
of Bijundri or assessment in
the old accounts, and, conse=
=quently, the Inam Rule
regarding Cesses cannot be
applied. There was practi=
=cally no limit, excepting
the difficulty of cultivating,
to the extent to which
the claims now being deal
with could be pushed.

The

10 If my proposed mode of
settlement meets with approval
the Deputy Commissioner should
be instructed to introduce the
settlement as soon as practic=
-cable furnishing me, on
completion, with the extent
and assessment fixed, upon
which to charge the said rent
in the Inam Registers.

11 I forward the Inam
Registers which I beg may
be returned.

I have the honor to be
Sir,
Your most Obedt Servt

L. B. Garrett

Superintendent Mysore
Revenue Survey.

that if the Kakkandara cultivated land outside the enclosure they will have to pay a moiety of the produce to Government. Under Rule V appears to me to be nearly although not quite applicable to the lands now under report and I propose that ¼ rent be imposed, after the Deputy Commissioner has fixed the assessment as proposed in the preceding Para.

9. I would also recommend that the lands under report should be taken under the management of the Deputy Commissioner for 2 or 3 years.

The two Mattes checked one another to some extent, however, the way was quite open to encroachment. There can be little doubt that a considerable proportion of the Coffee lands now claimed are of far less than 50 years standing. The Dattatrijit claim is now for 2873 acres which, it is needless to point out, contrasts absurdly with the original permission to cultivate, free of tax, within the enclosure of the Matkar, mentioned in the Firmp of 1831. In the same Firmp it is distinctly enjoined

that

Extract from the Diary of the Hon'ble Mr. Justice Ramesh, Member of Executive Council for the Year 1911.

"With reference to the Bengali petition praying for a report on a complaint made by the Bengali Settlement Officer of Nadia, regarding the alleged illegal exaction, by the Zamindar of Ramnagar, of a cess called the Ganga Puja Subscription, I have to report that (1) the Ganga Puja Subscription has been in existence for many years. (2) The Ganga Puja Subscription has been in existence for many years. (3) The Ganga Puja Subscription has been in existence for many years. (4) The Ganga Puja Subscription has been in existence for many years. (5) The Ganga Puja Subscription has been in existence for many years. (6) The Ganga Puja Subscription has been in existence for many years. (7) The Ganga Puja Subscription has been in existence for many years. (8) The Ganga Puja Subscription has been in existence for many years. (9) The Ganga Puja Subscription has been in existence for many years. (10) The Ganga Puja Subscription has been in existence for many years. 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(53) The Ganga Puja Subscription has been in existence for many years. (54) The Ganga Puja Subscription has been in existence for many years. (55) The Ganga Puja Subscription has been in existence for many years. (56) The Ganga Puja Subscription has been in existence for many years. (57) The Ganga Puja Subscription has been in existence for many years. (58) The Ganga Puja Subscription has been in existence for many years. (59) The Ganga Puja Subscription has been in existence for many years. (60) The Ganga Puja Subscription has been in existence for many years. (61) The Ganga Puja Subscription has been in existence for many years. (62) The Ganga Puja Subscription has been in existence for many years. (63) The Ganga Puja Subscription has been in existence for many years. (64) The Ganga Puja Subscription has been in existence for many years. (65) The Ganga Puja Subscription has been in existence for many years. (66) The Ganga Puja Subscription has been in existence for many years. 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Kaldi used to observe very closely what to his funeral of the coffee, (2) that were received in the year Christmas when Barsiza was drinking of the Jahad to collect of the produce of Coffee and he collected it under the hands then about half way of the Hill, and the other half accordingly, intend to be credited to the Jamaatiyy account from that year, but the Borga people have given this to the Government store to arrange with and received payment, while Sheikh Ahmed, Ali Hajjaan and Ali Jaamaa were still having unpaid; moreover, the former Christian, a people in the, midst of the produce made over to Arangiyy Bank, as stated, that (3) the Government share in coffee for the year Shengitti, viz, Senussi is not sent, though as knowledged by Arangiyy Bank as received and duly credited to the Jamaatiyy account, but no like consignment to him, the

value

Mine Surveyor having been paid his
and that (in) his journey in having visit
the timber of Mills given in the Cam
village, under an inquiry necessary by
the present Regime, to be done now then
away to Pranger and other places.

He reply, You are directed to Cause
particulars in the Assignment of the Pet
mine of Mojie, you are to Petition Court
if such permission has been granted to
since the year Eighteen and not to
any money for Work of Government.
sum of 75 Pagodas and 4 fanam, Receiv
the Journal any Present, Certificate
against the Mojie party, in duly, Emitte
formal receipt will pay, if duly during the
Jyotish Estimate. Should the Partic
be found giving effect in Civil Co
without the Partition, Enclosed, a Pro
of the province should be issued from the

Yo

You are further directed to enquire into
& report to us by the Earliest Possible time
a Half Chest each of Coffee Flowers in Sam
Coods, and to cause the Agents to pay
to the Bookkeeper the Duties of the Coffee
received by the Farmer.

The receipt whereof is hereby Acknowledged. If any of the Coffee has not been received,
it might Forthwith be found in the Stores,
and You are hereby directed to file it.

Cancelled
Cl.

Translation of a copy, or extract from the Diary kept in the [illegible] Department of His Highness the late Maharaja of [illegible], to [illegible] of [illegible], 18th August

You state that one [illegible] Khany, residing on the Bababoodan hills and others of the [illegible] and Chickamagalur Talooks, having afforded refuge to certain plunderers, an order was received to attach all their landed property and to inform them that it would only be restored on condition of their apprehending & delivering the refugees; that [illegible] Khany, besides holding Jaghir lands, has occupied Sirkar waste lands of the village of [illegible], where, having cleared the forest, he has planted coffee trees; that the annual produce thereof amounts to a thousand maunds, which he enjoys, selling them to the East India Company at the rate of one [illegible] Pagoda

Engrossed for Second Reading in the Senate of the
Eighty-fifth General Assembly of the State of Illinois
this 12th day of May, 1987.

Secretary of the Senate

AMENDMENT NO. 1. Amend Senate Bill 1 by deleting
everything after the enacting clause and inserting in lieu
thereof the following:

"Section 1. The Illinois Income Tax Act is amended by
changing Section 201 as follows:

(35 ILCS 5/201) (from Ch. 120, par. 201)

Sec. 201. Tax Imposed.

(a) In general. A tax measured by net income is hereby
imposed on every individual, corporation, trust and estate for
each taxable year ending after July 31, 1969 on the privilege
of earning or receiving income in or as a resident of this
State. Such tax shall be in addition to all other occupation or
privilege taxes imposed by this State or by any municipal
corporation or political subdivision thereof.

(b) Rates. The tax imposed by subsection (a) of this
Section shall be determined as follows, except as adjusted by
subsection (d-1):

(1) In the case of an individual, trust or estate, for
taxable years ending prior to July 1, 1989, an amount equal
to 2 1/2% of the taxpayer's net income for the taxable year.

(2) In the case of an individual, trust or estate, for
taxable years beginning after June 30, 1989 and ending
prior to July 1, 1990, an amount equal to 3% of the
taxpayer's net income for the taxable year.

(3) In the case of an individual, trust or estate, for
taxable years beginning after June 30, 1990 and ending
prior to July 1, 1991, an amount equal to 3.25% of the
taxpayer's net income for the taxable year.

(4) In the case of an individual, trust or estate, for
taxable years beginning after June 30, 1991, an amount
equal to 3.75% of the taxpayer's net income for the taxable
year.

(5) In the case of a corporation, for taxable years
ending prior to July 1, 1989, an amount equal to 4% of the
taxpayer's net income for the taxable year.

(6) In the case of a corporation, for taxable years
beginning after June 30, 1989 and ending prior to July 1,
1990, an amount equal to 4.8% of the taxpayer's net income
for the taxable year.

(7) In the case of a corporation, for taxable years
beginning after June 30, 1990 and ending prior to July 1,
1991, an amount equal to 5.2% of the taxpayer's net income
for the taxable year.

(8) In the case of a corporation, for taxable years
beginning after June 30, 1991, an amount equal to 6% of the
taxpayer's net income for the taxable year.

(c) Personal Property Tax Replacement Income Tax.
Beginning on July 1, 1979 and thereafter, in addition to such
income tax, there also shall be imposed the Personal Property
Tax Replacement Income Tax measured by net income for the
privilege of earning or receiving income in or as a resident of
this State. Such tax shall be in addition to all other
occupation or privilege taxes imposed by this State or by any
municipal corporation or political subdivision thereof.
Personal Property Tax Replacement Income Tax rates:

(1) In the case of an individual, trust or estate, for
taxable years ending prior to July 1, 1989, an amount equal
to 1/2% of the taxpayer's net income for the taxable year.

(2) In the case of an individual, trust or estate, for
taxable years beginning after June 30, 1989 and ending
prior to July 1, 1990, an amount equal to 0.6% of the
taxpayer's net income for the taxable year.

(3) In the case of an individual, trust or estate, for
taxable years beginning after June 30, 1990 and ending
prior to July 1, 1991, an amount equal to 0.65% of the
taxpayer's net income for the taxable year.

(4) In the case of an individual, trust or estate, for
taxable years beginning after June 30, 1991, an amount
equal to 0.75% of the taxpayer's net income for the taxable
year.

(5) In the case of a corporation, for taxable years
ending prior to July 1, 1989, an amount equal to 1% of the
taxpayer's net income for the taxable year.

(6) In the case of a corporation, for taxable years
beginning after June 30, 1989 and ending prior to July 1,
1990, an amount equal to 1.2% of the taxpayer's net income
for the taxable year.

(7) In the case of a corporation, for taxable years
beginning after June 30, 1990 and ending prior to July 1,
1991, an amount equal to 1.3% of the taxpayer's net income
for the taxable year.

(8) In the case of a corporation, for taxable years
beginning after June 30, 1991, an amount equal to 1.5% of the
taxpayer's net income for the taxable year.

(d) Apportionment of tax. Nothing in this Act shall be
construed to restrict or impose taxes or liabilities in
violation of the United States Constitution, but the
apportionment provisions of this Act shall be applied to the
maximum extent consistent with the United States
Constitution and this Act.

(d-1) Surcharge; sale or exchange of assets, etc.
Notwithstanding any provision to the contrary in subsections
(b) and (c), those taxpayers subject to the surcharge imposed
by Section 2 of Public Act 85-1 shall pay the tax at the rates
provided in Section 2 of Public Act 85-1.

(e) Infrastructure maintenance fee for trucks, buses and
other vehicles used for the transportation of persons or
property.

(1) For the purpose of this subsection (e) and
subsection (f) of this Section, the terms "truck", "bus",
"vehicle", "transportation of persons or property" and
"gross weight" shall have the same meaning as when those
terms are used in the Illinois Vehicle Code.

(2) Beginning on July 1, 1990 and thereafter, in addition
to the taxes imposed by subsections (b) and (c) of this
Section, there also shall be imposed an infrastructure
maintenance fee for the privilege of operating in this State
a truck, bus or other vehicle used for the transportation of
persons or property.

(3) The infrastructure maintenance fee for trucks
licensed at a gross weight in excess of 11,000 pounds shall
be $120 per truck per year.

(4) The infrastructure maintenance fee for trucks
licensed at a gross weight of 11,000 pounds or less shall be
$30 per truck per year.

(5) The infrastructure maintenance fee for buses shall be
$30 per bus per year.

(6) The infrastructure maintenance fee for vehicles
other than trucks and buses shall be $5 per vehicle per
year.

(7) The infrastructure maintenance fee shall be paid to
the Secretary of State at the time of registration or
renewal of registration of the truck, bus or other vehicle.
Any person who fails or refuses to pay the infrastructure
maintenance fee to the Secretary of State at the time of
registration or renewal of registration of the truck, bus or
other vehicle shall be guilty of a business offense and
fined not more than $5,000.

(8) The infrastructure maintenance fee shall be paid by
the person in whose name the truck, bus or other vehicle is
registered.

(9) The infrastructure maintenance fee shall be
collected by the Secretary of State and deposited into the
Road Fund.

(f) Weight distance tax.

(1) Beginning on July 1, 1990 and thereafter, in addition
to the taxes imposed by subsections (b) and (c) of this
Section, there also shall be imposed a weight distance tax
for the privilege of operating in this State a truck or
truck tractor with a gross weight in excess of 11,000
pounds.

(2) The weight distance tax shall be paid by the person
in whose name the truck or truck tractor is registered.

(3) The weight distance tax shall be collected by the
Secretary of State and deposited into the Road Fund.

(4) The weight distance tax shall be paid to the
Secretary of State at the time of registration or renewal of
registration of the truck or truck tractor. Any person who
fails or refuses to pay the weight distance tax to the
Secretary of State at the time of registration or renewal of
registration of the truck or truck tractor shall be guilty
of a business offense and fined not more than $5,000.

(5) The weight distance tax shall be determined as
follows:

(A) For trucks or truck tractors licensed at a gross
weight of 11,000 pounds or less, the weight distance tax
shall be $30 per truck or truck tractor per year.

(B) For trucks or truck tractors licensed at a gross
weight in excess of 11,000 pounds but not in excess of
18,000 pounds, the weight distance tax shall be $120 per
truck or truck tractor per year.

(C) For trucks or truck tractors licensed at a gross
weight in excess of 18,000 pounds but not in excess of
20,000 pounds, the weight distance tax shall be $200 per
truck or truck tractor per year.

(D) For trucks or truck tractors licensed at a gross
weight in excess of 20,000 pounds but not in excess of
22,000 pounds, the weight distance tax shall be $280 per
truck or truck tractor per year.

(E) For trucks or truck tractors licensed at a gross
weight in excess of 22,000 pounds but not in excess of
24,000 pounds, the weight distance tax shall be $360 per
truck or truck tractor per year.

(F) For trucks or truck tractors licensed at a gross
weight in excess of 24,000 pounds but not in excess of
26,000 pounds, the weight distance tax shall be $440 per
truck or truck tractor per year.

(G) For trucks or truck tractors licensed at a gross
weight in excess of 26,000 pounds but not in excess of
28,000 pounds, the weight distance tax shall be $520 per
truck or truck tractor per year.

(H) For trucks or truck tractors licensed at a gross
weight in excess of 28,000 pounds but not in excess of
30,000 pounds, the weight distance tax shall be $600 per
truck or truck tractor per year.

(I) For trucks or truck tractors licensed at a gross
weight in excess of 30,000 pounds but not in excess of
32,000 pounds, the weight distance tax shall be $680 per
truck or truck tractor per year.

(J) For trucks or truck tractors licensed at a gross
weight in excess of 32,000 pounds but not in excess of
34,000 pounds, the weight distance tax shall be $760 per
truck or truck tractor per year.

(K) For trucks or truck tractors licensed at a gross
weight in excess of 34,000 pounds but not in excess of
36,000 pounds, the weight distance tax shall be $840 per
truck or truck tractor per year.

(L) For trucks or truck tractors licensed at a gross
weight in excess of 36,000 pounds but not in excess of
38,000 pounds, the weight distance tax shall be $920 per
truck or truck tractor per year.

(M) For trucks or truck tractors licensed at a gross
weight in excess of 38,000 pounds but not in excess of
40,000 pounds, the weight distance tax shall be $1000 per
truck or truck tractor per year.

(N) For trucks or truck tractors licensed at a gross
weight in excess of 40,000 pounds but not in excess of
42,000 pounds, the weight distance tax shall be $1080 per
truck or truck tractor per year.

(O) For trucks or truck tractors licensed at a gross
weight in excess of 42,000 pounds but not in excess of
44,000 pounds, the weight distance tax shall be $1160 per
truck or truck tractor per year.

(P) For trucks or truck tractors licensed at a gross
weight in excess of 44,000 pounds but not in excess of
46,000 pounds, the weight distance tax shall be $1240 per
truck or truck tractor per year.

(Q) For trucks or truck tractors licensed at a gross
weight in excess of 46,000 pounds but not in excess of
48,000 pounds, the weight distance tax shall be $1320 per
truck or truck tractor per year.

(R) For trucks or truck tractors licensed at a gross
weight in excess of 48,000 pounds but not in excess of
50,000 pounds, the weight distance tax shall be $1400 per
truck or truck tractor per year.

(S) For trucks or truck tractors licensed at a gross
weight in excess of 50,000 pounds but not in excess of
52,000 pounds, the weight distance tax shall be $1480 per
truck or truck tractor per year.

(T) For trucks or truck tractors licensed at a gross
weight in excess of 52,000 pounds but not in excess of
54,000 pounds, the weight distance tax shall be $1560 per
truck or truck tractor per year.

(U) For trucks or truck tractors licensed at a gross
weight in excess of 54,000 pounds but not in excess of
56,000 pounds, the weight distance tax shall be $1640 per
truck or truck tractor per year.

(V) For trucks or truck tractors licensed at a gross
weight in excess of 56,000 pounds but not in excess of
58,000 pounds, the weight distance tax shall be $1720 per
truck or truck tractor per year.

(W) For trucks or truck tractors licensed at a gross
weight in excess of 58,000 pounds but not in excess of
60,000 pounds, the weight distance tax shall be $1800 per
truck or truck tractor per year.

(X) For trucks or truck tractors licensed at a gross
weight in excess of 60,000 pounds but not in excess of
62,000 pounds, the weight distance tax shall be $1880 per
truck or truck tractor per year.

(Y) For trucks or truck tractors licensed at a gross
weight in excess of 62,000 pounds but not in excess of
64,000 pounds, the weight distance tax shall be $1960 per
truck or truck tractor per year.

(Z) For trucks or truck tractors licensed at a gross
weight in excess of 64,000 pounds but not in excess of
66,000 pounds, the weight distance tax shall be $2040 per
truck or truck tractor per year.

(AA) For trucks or truck tractors licensed at a gross
weight in excess of 66,000 pounds but not in excess of
68,000 pounds, the weight distance tax shall be $2120 per
truck or truck tractor per year.

(BB) For trucks or truck tractors licensed at a gross
weight in excess of 68,000 pounds but not in excess of
70,000 pounds, the weight distance tax shall be $2200 per
truck or truck tractor per year.

(CC) For trucks or truck tractors licensed at a gross
weight in excess of 70,000 pounds but not in excess of
72,000 pounds, the weight distance tax shall be $2280 per
truck or truck tractor per year.

(DD) For trucks or truck tractors licensed at a gross
weight in excess of 72,000 pounds but not in excess of
74,000 pounds, the weight distance tax shall be $2360 per
truck or truck tractor per year.

(EE) For trucks or truck tractors licensed at a gross
weight in excess of 74,000 pounds but not in excess of
76,000 pounds, the weight distance tax shall be $2440 per
truck or truck tractor per year.

(FF) For trucks or truck tractors licensed at a gross
weight in excess of 76,000 pounds but not in excess of
78,000 pounds, the weight distance tax shall be $2520 per
truck or truck tractor per year.

(GG) For trucks or truck tractors licensed at a gross
weight in excess of 78,000 pounds but not in excess of
80,000 pounds, the weight distance tax shall be $2600 per
truck or truck tractor per year.

(6) The weight distance tax shall be paid by the person
in whose name the truck or truck tractor is registered.

(7) The weight distance tax shall be collected by the
Secretary of State and deposited into the Road Fund.

(8) The weight distance tax shall be paid to the
Secretary of State at the time of registration or renewal of
registration of the truck or truck tractor. Any person who
fails or refuses to pay the weight distance tax to the
Secretary of State at the time of registration or renewal of
registration of the truck or truck tractor shall be guilty
of a business offense and fined not more than $5,000.

(g) Prohibition of fees or taxes by units of local
government. Beginning on July 1, 1990 and thereafter, no
unit of local government may impose any fee or tax upon the
privilege of operating in this State a truck, bus or other
vehicle used for the transportation of persons or property.

Section 2. The Illinois Vehicle Code is amended by
changing Section 3-815 as follows:

(625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

Sec. 3-815. Proceeds of fees and taxes. All proceeds of
the fees and taxes imposed by this Act shall be paid into the
State Treasury and shall be disposed of as follows:

(a) 8.5% shall be deposited into the General Revenue
Fund.

(b) 85% shall be deposited into the State Construction
Account Fund.

(c) 6.5% shall be deposited into the Road Fund.

Section 3. The Illinois Vehicle Code is amended by
changing Section 3-818 as follows:

(625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

Sec. 3-818. Fees not to be refunded. No fee paid under
this Act shall be refunded, except that the Secretary of State
may refund fees paid for the registration of vehicles
purchased by the United States government, this State or any
municipality therein, and may refund fees paid for the
registration of vehicles destroyed by fire or other casualty
to the extent of the unused portion of the registration.

Section 4. The Illinois Vehicle Code is amended by
changing Section 3-819 as follows:

(625 ILCS 5/3-819) (from Ch. 95 1/2, par. 3-819)

Sec. 3-819. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 5. The Illinois Vehicle Code is amended by
changing Section 3-820 as follows:

(625 ILCS 5/3-820) (from Ch. 95 1/2, par. 3-820)

Sec. 3-820. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 6. The Illinois Vehicle Code is amended by
changing Section 3-821 as follows:

(625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)

Sec. 3-821. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 7. The Illinois Vehicle Code is amended by
changing Section 3-822 as follows:

(625 ILCS 5/3-822) (from Ch. 95 1/2, par. 3-822)

Sec. 3-822. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 8. The Illinois Vehicle Code is amended by
changing Section 3-823 as follows:

(625 ILCS 5/3-823) (from Ch. 95 1/2, par. 3-823)

Sec. 3-823. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 9. The Illinois Vehicle Code is amended by
changing Section 3-824 as follows:

(625 ILCS 5/3-824) (from Ch. 95 1/2, par. 3-824)

Sec. 3-824. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 10. The Illinois Vehicle Code is amended by
changing Section 3-825 as follows:

(625 ILCS 5/3-825) (from Ch. 95 1/2, par. 3-825)

Sec. 3-825. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 11. The Illinois Vehicle Code is amended by
changing Section 3-826 as follows:

(625 ILCS 5/3-826) (from Ch. 95 1/2, par. 3-826)

Sec. 3-826. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 12. The Illinois Vehicle Code is amended by
changing Section 3-827 as follows:

(625 ILCS 5/3-827) (from Ch. 95 1/2, par. 3-827)

Sec. 3-827. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 13. The Illinois Vehicle Code is amended by
changing Section 3-828 as follows:

(625 ILCS 5/3-828) (from Ch. 95 1/2, par. 3-828)

Sec. 3-828. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 14. The Illinois Vehicle Code is amended by
changing Section 3-829 as follows:

(625 ILCS 5/3-829) (from Ch. 95 1/2, par. 3-829)

Sec. 3-829. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 15. The Illinois Vehicle Code is amended by
changing Section 3-830 as follows:

(625 ILCS 5/3-830) (from Ch. 95 1/2, par. 3-830)

Sec. 3-830. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 16. The Illinois Vehicle Code is amended by
changing Section 3-831 as follows:

(625 ILCS 5/3-831) (from Ch. 95 1/2, par. 3-831)

Sec. 3-831. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 17. The Illinois Vehicle Code is amended by
changing Section 3-832 as follows:

(625 ILCS 5/3-832) (from Ch. 95 1/2, par. 3-832)

Sec. 3-832. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 18. The Illinois Vehicle Code is amended by
changing Section 3-833 as follows:

(625 ILCS 5/3-833) (from Ch. 95 1/2, par. 3-833)

Sec. 3-833. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 19. The Illinois Vehicle Code is amended by
changing Section 3-834 as follows:

(625 ILCS 5/3-834) (from Ch. 95 1/2, par. 3-834)

Sec. 3-834. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 20. The Illinois Vehicle Code is amended by
changing Section 3-835 as follows:

(625 ILCS 5/3-835) (from Ch. 95 1/2, par. 3-835)

Sec. 3-835. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 21. The Illinois Vehicle Code is amended by
changing Section 3-836 as follows:

(625 ILCS 5/3-836) (from Ch. 95 1/2, par. 3-836)

Sec. 3-836. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 22. The Illinois Vehicle Code is amended by
changing Section 3-837 as follows:

(625 ILCS 5/3-837) (from Ch. 95 1/2, par. 3-837)

Sec. 3-837. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 23. The Illinois Vehicle Code is amended by
changing Section 3-838 as follows:

(625 ILCS 5/3-838) (from Ch. 95 1/2, par. 3-838)

Sec. 3-838. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 24. The Illinois Vehicle Code is amended by
changing Section 3-839 as follows:

(625 ILCS 5/3-839) (from Ch. 95 1/2, par. 3-839)

Sec. 3-839. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 25. The Illinois Vehicle Code is amended by
changing Section 3-840 as follows:

(625 ILCS 5/3-840) (from Ch. 95 1/2, par. 3-840)

Sec. 3-840. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 26. The Illinois Vehicle Code is amended by
changing Section 3-841 as follows:

(625 ILCS 5/3-841) (from Ch. 95 1/2, par. 3-841)

Sec. 3-841. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 27. The Illinois Vehicle Code is amended by
changing Section 3-842 as follows:

(625 ILCS 5/3-842) (from Ch. 95 1/2, par. 3-842)

Sec. 3-842. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 28. The Illinois Vehicle Code is amended by
changing Section 3-843 as follows:

(625 ILCS 5/3-843) (from Ch. 95 1/2, par. 3-843)

Sec. 3-843. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 29. The Illinois Vehicle Code is amended by
changing Section 3-844 as follows:

(625 ILCS 5/3-844) (from Ch. 95 1/2, par. 3-844)

Sec. 3-844. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 30. The Illinois Vehicle Code is amended by
changing Section 3-845 as follows:

(625 ILCS 5/3-845) (from Ch. 95 1/2, par. 3-845)

Sec. 3-845. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 31. The Illinois Vehicle Code is amended by
changing Section 3-846 as follows:

(625 ILCS 5/3-846) (from Ch. 95 1/2, par. 3-846)

Sec. 3-846. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 32. The Illinois Vehicle Code is amended by
changing Section 3-847 as follows:

(625 ILCS 5/3-847) (from Ch. 95 1/2, par. 3-847)

Sec. 3-847. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 33. The Illinois Vehicle Code is amended by
changing Section 3-848 as follows:

(625 ILCS 5/3-848) (from Ch. 95 1/2, par. 3-848)

Sec. 3-848. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 34. The Illinois Vehicle Code is amended by
changing Section 3-849 as follows:

(625 ILCS 5/3-849) (from Ch. 95 1/2, par. 3-849)

Sec. 3-849. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 35. The Illinois Vehicle Code is amended by
changing Section 3-850 as follows:

(625 ILCS 5/3-850) (from Ch. 95 1/2, par. 3-850)

Sec. 3-850. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 36. The Illinois Vehicle Code is amended by
changing Section 3-851 as follows:

(625 ILCS 5/3-851) (from Ch. 95 1/2, par. 3-851)

Sec. 3-851. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 37. The Illinois Vehicle Code is amended by
changing Section 3-852 as follows:

(625 ILCS 5/3-852) (from Ch. 95 1/2, par. 3-852)

Sec. 3-852. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 38. The Illinois Vehicle Code is amended by
changing Section 3-853 as follows:

(625 ILCS 5/3-853) (from Ch. 95 1/2, par. 3-853)

Sec. 3-853. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 39. The Illinois Vehicle Code is amended by
changing Section 3-854 as follows:

(625 ILCS 5/3-854) (from Ch. 95 1/2, par. 3-854)

Sec. 3-854. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 40. The Illinois Vehicle Code is amended by
changing Section 3-855 as follows:

(625 ILCS 5/3-855) (from Ch. 95 1/2, par. 3-855)

Sec. 3-855. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 41. The Illinois Vehicle Code is amended by
changing Section 3-856 as follows:

(625 ILCS 5/3-856) (from Ch. 95 1/2, par. 3-856)

Sec. 3-856. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 42. The Illinois Vehicle Code is amended by
changing Section 3-857 as follows:

(625 ILCS 5/3-857) (from Ch. 95 1/2, par. 3-857)

Sec. 3-857. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 43. The Illinois Vehicle Code is amended by
changing Section 3-858 as follows:

(625 ILCS 5/3-858) (from Ch. 95 1/2, par. 3-858)

Sec. 3-858. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 44. The Illinois Vehicle Code is amended by
changing Section 3-859 as follows:

(625 ILCS 5/3-859) (from Ch. 95 1/2, par. 3-859)

Sec. 3-859. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 45. The Illinois Vehicle Code is amended by
changing Section 3-860 as follows:

(625 ILCS 5/3-860) (from Ch. 95 1/2, par. 3-860)

Sec. 3-860. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 46. The Illinois Vehicle Code is amended by
changing Section 3-861 as follows:

(625 ILCS 5/3-861) (from Ch. 95 1/2, par. 3-861)

Sec. 3-861. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 47. The Illinois Vehicle Code is amended by
changing Section 3-862 as follows:

(625 ILCS 5/3-862) (from Ch. 95 1/2, par. 3-862)

Sec. 3-862. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 48. The Illinois Vehicle Code is amended by
changing Section 3-863 as follows:

(625 ILCS 5/3-863) (from Ch. 95 1/2, par. 3-863)

Sec. 3-863. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 49. The Illinois Vehicle Code is amended by
changing Section 3-864 as follows:

(625 ILCS 5/3-864) (from Ch. 95 1/2, par. 3-864)

Sec. 3-864. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 50. The Illinois Vehicle Code is amended by
changing Section 3-865 as follows:

(625 ILCS 5/3-865) (from Ch. 95 1/2, par. 3-865)

Sec. 3-865. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destroyed by fire or
other casualty within 10 days after the purchase. The refund
shall be in an amount equal to the unused portion of the
registration.

Section 51. The Illinois Vehicle Code is amended by
changing Section 3-866 as follows:

(625 ILCS 5/3-866) (from Ch. 95 1/2, par. 3-866)

Sec. 3-866. Refund of fees and taxes. Any person who
purchases a vehicle from a dealer and who has paid the fees
and taxes imposed by this Act shall be entitled to a refund of
such fees and taxes if the vehicle is destro

Shall give public notice of such sale in the Newspaper in which the Assessment was published, and shall give public notice of such sale by posting up notices in three public places in the Township of Caledon, at least ten days before the day of such sale.

2. The Treasurer shall attend such sale and may employ a person to act as auctioneer for him, and shall receive from the purchaser the amount of his purchase money, and shall grant to such purchaser a Deed of the land so sold, and shall pay over the surplus money, if any, to the person entitled thereto, after deducting the amount of the Assessment and all costs and charges.

Passed this 1st day of March A.D. 1880.

C. Clerk.

Examination of Mrs. [illegible] as given in the
Diary of the Board of Directors of the Commissioners
Dean Cemetery dated 15th December 1852.

Mrs. [illegible] in the Examination
dated 8th July last to the Petition of Mrs. [illegible]
stated Appointment to the Office of Assistant Commissioner
of the Dean Cemetery and the Duties attached thereto
being fore signified, that the Commissioners
cannot do not that fact grant the application
of the Petitioner to the Office of Commissioner
to Cemetery. That the Petitioner entered in
the Employment of the Office previous to the
Act 16 and 17 Vict. cap. 94 and that
by the Regulations and Standing Orders of the
Board the Commissioners have power to
grant the Petitioner the Office of Commissioner
of the Cemetery. Mrs. [illegible] having
the

the said order of Court of Session of 7th January as
far as not altered by this Act of Sederunt in
regard to the said Lands of Kilbagie and
Lochgelly and Mines and Minerals thereof
and Rights and Privileges and Pertinents
thereof and all other Lands and Heritages
belonging to the said Bankrupts

Upon the Petition of William Hamilton
Esquire Advocate for the Creditors, that under the
Act of Sederunt of the Lords of Session appointing
the Bankrupts Estate and Effects to be sold
with the exception of the said Estate of Kilbagie,
which should remain for the Bankrupts,
the Lords of Session may alter the
said Act of Sederunt

Ordained as above craved, but
not to prejudge the Bankrupts right to
the Lands of Kilbagie and Lochgelly
and Rights and Privileges thereof
and Minerals and other Heritages
belonging to the Bankrupts not
disponed

Edinburgh

Sheriff to the Court order, all the proceedings of the Commissioners on account of Bankruptcy of Isaac Jacobs from the date, and the Copies of the depositions made before Commissioners, and the Examinations of the Bankrupt, and a Copy of his Petition to the Lord Chancellor to be filed in the Petty Bag Office.—

Franklin
Cl.

Free translation of copy of a Circular issued by Kindiaway Chiefs, Wali, late Sligoues, the Alkali & Sajo of Citizens of the Municipality, Kiffarians and Syrian Managers of the Church Mission Kari Karkalli, Dwandies and Kadun fen Market Bangalore 12th October 1911.

What is the reason of your having interfered in your Vakili niki the Cipher Medium of the cultivation which from the beginning has been enjoyed & annually as usual, by their Chiefs (?) Citizens of the Municipal Court (?) Merchants & the Lakmali Court (?) Syrian Kam Chiefs of the Madras Circuit belonging to the Diocese of the Municipality Bangalore to every citizens of Mysore (Christ), Indian (Heathen) and

and Portmanteau (car festival)
and other miscellaneous ex-
-penditure. You must leave
the produce of this Coffee cul-
-tivation which belongs to the
Matto from the beginning to
be enjoyed without hindrance.
You must arrange not to molest
the Shikkarimaramary at Pagee
-kadi with Bells, Bagpipes
and Sunday Feasts.

"Free Translation"

A. Grant

Superintendent
Cinnamon Plantations

From

The Secretary to the Chief Commissioner
of Mysore.

To

Dated

Registered

Inward

No.	Year	No.	Year	18.

Subject.

1874.

From

The Secretary to the Chief Commissioner of Mysore.

To

Dated

Despatched

Received

ENCLOSURES NO. 3

General No. 5173 } 1874
No. 1077

1884.

LRH5-82-6

of 28 April

Draft

Revenue

No 910-11

Final proof handed

Piracy cases in the
Courts to certain Police
Datta treiyapitta
Chief of the ~~Dattreyapitta~~
Darga and the Periapatna
Taluk, instructing.

(6) (8) 16

Read:-

Letter No. 1 of the 1st April 1884 from the Supdt. of Rev. Survey, submitting a report on the claims of the Pattayapida Durga and the Ediyagni Matt & the Office Asst. arranging Item.

No. 10-11 of 28.4.84.

Item 1 the claim of the Ediyagni Matt to the lands in the village of Kolgavi and specially rejected by the Inam Supdt in July 1880. As regards the lands in Sarvahalli, the order for their resumption has been carried out and they have been assessed by Government but no action has yet been taken upon the decision of the Inam Deptt as regards the lands in Kolgavi - Having regard to the antiquity of the Matt and to its long reputed enjoyment

C.W.H.
23/4/84

of assessment – There
was practically no check
to encroachments owing
to the lands being in an
inaccessible part of the
Country and covered
with jungle, and judging
from the age of the
coffee standing on the
lands claimed, there is
no doubt that the greater
part of these encroachments
has taken place within
the last 20 years – After
the discontinuance of
the system of sharing
the produce, the coffee
produced in the lands
in question have always
paid Kadak duty to
Government – Under
such circumstances, the
proper course would
be to resume these
Inams, but having
regard to the importance
and –

liable to pay to them a moiety of the produce in accordance with the revenue system then in force. The Kaul of 1831 refers to encroachments by the Mahandas on the lands of the village of Ekligondi. Thus it is quite clear that a great part of what is now claimed by the Mahandas is Sirkar land upon which he has encroached from time to time.

3. As regards the Dattatreya pujari, and the Bairagi Mahant, there is nothing to show how or when they came into existence, nor is there any reference to them in the Jari Account, nor any record whatever of their Bijavari

of the lands, His Highness
Govt is prepared to review
the decision arrived
at in the Inam Detts
in July 1880, but the
papers submitted do
not contain any evidence
of the petnt shewing that
Matti is entitled to
enjoy the Inam —
2. The claim of
the Dattatreya, pita Mahant Balabhadra Bharga
to the lands included
in the new village of —
Dattatreyapita, is indeed
even tenable — The
Firman of 1829 shews that
the Pithadhipati is
entitled only to the Sayer
Grants within the Inamdar
Enclosures, and that
Lands outside that
Enclosures should be
treated as Sirkar land,

and the ambiguity of the Institutions by which they are now enjoyed, the existence of good treaties not to apply the ordinary rules to them but to deal with them in a spirit of liberality by confirming to them the Lands in question on an Equitable ~~Inviolable~~ principle, subject to the establishment of proper Guarantees for the protection of the rights of inferior holders. Institutions

And the length of time for which such enjoyment has extended,

If it should be thought that the Lands in question are subject to any 3 Cents per Maund of Coffee produced within those Lands, but the income from this source is, owing to mismanagement, very inconsiderable. The system itself is most

furnish them with
a copy thereof, and
to inform them that
~~the~~ the proposed
confirmation of the
Grants is a special
act of concession intended to maintain the prestige of the Institutions in question, and to provide sufficient funds for the due performance of the religious & charitable duties devolving upon them
and ~~that~~
that its final sanction
is dependent upon their
acceptance of, and
adherence to, the conditions
above laid down -
~~He will also~~ S. // The Delegation will proceed
to introduce the settlement
as soon as practicable,
furnishing the ~~Lieut~~ Govt
Superintendent, on
the completion thereof,
with detailed Statements
shewing the extents and
appraisement fixed -
3 The Synod is further
authorized to retain
the lands in question

must be debarred
from altering it
hereafter -

5 Subject to these
conditions and to the
payment per annum
Quit - rent of 1/4 th of
the Survey valuation,
the Grants will be
confirmed to the Petitr
& the Dargah

6 The Superintendent
of Revenue Survey reports
that the rate of Rs 1/3 p/c
per acre is too high
for the coffee lands
in Nagercoil - The
Comm^r will report
thro' the Superintendent
of Survey, what other
permanent rate
will in his opinion
be suitable -

The Govt is further
requested to explain
the orders above passed
to the managers of
~~both~~ the Petitr & the Dargah
~~concerned~~ and to

can be referred to all
concerned — The best
arrangement under the
circumstances, is to fix
upon the lands in question
a money assessment
in accordance with
the Rules of 2d August
1881 after due consid-
-eration of the circ-
-umstances of each
Estate or Garden, and
upon the same principles
as would regulate
the assessment of
similar Govt lands
The occupants of coffee lands will hold
Gardens from the
Boundaries upon the
same terms as are granted
by Govt to permanent
holders of Coffee lands —
The assessment thus
fixed will be binding
upon the Proprietors

3/ 65

under his manage-
-ment for 2 or 3 years
in order to ensure
~~the~~ the complete
introduction of the
settlement and the
final adjustment
of the various petty
~~adjustments~~ disputes
between the superior
and inferior holders.

Lia

Ry

Printed

Secty

I. Secretary of Executive
" Secretary of State

1884.

GOVERNMENT OF MYSORE.

REVENUE.

PROCEEDINGS.

Dated 30th April 1884.

No. 710-11.
7.

Passing orders on the claims to certain coffee lands of the Dattatreyapitha Darga and the Bisiagni Matt respectively.

Mysore Government Press, Bangalore.—2-5-84.—75.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 28th April 1884.

READ—

Letter No. 11 of the 7th April 1884 from the Superintendent of Revenue Survey submitting a report on the claims of the Dattatreyapitha Darga and the Eisiagni Matt to the coffee lands belonging to them.

No. 710-11—7, DATED 28TH APRIL 1884.

ORDER THEREON.—The claim of the Eisiagni Matt to the lands in the villages of Kolgavi and Hogrehalli was rejected by the Inam Superintendent in July 1880. As regards the lands in Hogrehalli, the order for their resumption has been carried out, and they have been assessed by Government, but no action has yet been taken upon the decision of the Inam Department as regards the lands in Kolgavi. Having regard to the antiquity of the Matt and to its long reputed enjoyment of the lands, His Highness' Government is prepared to revise the decision arrived at in the Inam Department in July 1880, but the papers submitted do not contain any evidence of the extent which the Matt is entitled to enjoy as inam.

2. The claim of the Dattatreyapitha Bababudan Darga to the lands included in the new village of Dattatreyapitha is indeed even weaker. The Nirup of 1829 shows that the makandar is entitled only to the coffee grown within the makan enclosure, and that lands outside that enclosure should be treated as sarkar land, liable to pay to Government a moiety of the produce in accordance with the revenue system then in force. The Nirup of 1831 refers to encroachments by the makandar on the lands of the village of Attigonda. Thus it is quite clear that a great part of what is now claimed by the makandar is sarkar land upon which he has encroached from time to time.

3. As regards both the Dattatreyapitha and the Eisiagni inams there is nothing to show how or when they came into existence, nor is there any reference to them in the Jari account, nor any record whatever of their bijavari or assessment. There was practically no check to encroachments owing to the lands being in an inaccessible part of the country and covered with jungle, and, judging from the age of the coffee standing on the lands claimed, there is no doubt that the greater part of these encroachments has taken place within the last 50 years. After the discontinuance of the system of sharing the produce, the coffee produced in the lands in question has always paid halat duty to Government. Under such circumstances the proper course would be to resume these inams, but having regard to the importance and the antiquity of the institutions by which they are now enjoyed and the length of time over which such enjoyment has extended, His Highness' Government decide not to apply the ordinary rules to them but to deal with them in a spirit of reasonable liberality by confirming to them the inams in question on an equitable quit-rent, subject however to the establishment of proper guarantees for the protection of the rights of inferior holders.

4. At present the institutions in question are supposed to levy 3 seers per maund of coffee produced within these lands, but their income from this source is, owing to mismanagement, very inconsiderable. The system itself is most unsatisfactory to all concerned. The best arrangement, under the circumstances, is to fix upon the lands in question a money assessment in accordance with the Rules of 2nd August 1881 after due consideration of the circumstances of each estate or garden, and upon the same principles as would regulate the assessment of similar Government lands. The occupants of coffee lands will hold from the inamdars upon the same terms as are granted by Government to permanent holders of coffee lands. The assessment thus fixed will be binding upon the Matt and the Darga who must be debarred from altering it hereafter.

5. Subject to these conditions and to the payment of an annual quit-rent of ¼th of the survey valuation, the inams will be confirmed to the Matt and the Darga.

6. The Superintendent of Revenue Survey reports that the rate of Rs. 1—8—0 per acre is too high for the coffee lands in Hogrehalli. The Deputy Commissioner

will report through the Superintendent of Survey, what other permanent rate will in his opinion be suitable.

7. The Deputy Commissioner is further requested to explain the orders above passed to the managers of the Matt and the Darga, to furnish them with a copy thereof, and to inform them that the proposed confirmation of the inams is a special act of concession intended to maintain the prestige of the institutions in question, and to provide sufficient funds for the due performance of the religious and charitable duties devolving upon them, and that its final sanction is dependent upon their acceptance of, and adherence to, the conditions above laid down.

8. The Deputy Commissioner will proceed to introduce the settlement as soon as practicable, furnishing the Inam Superintendent, on the completion thereof, with detailed statements showing the extent and assessment fixed.

9. The Deputy Commissioner is further authorized to retain the lands in question under his management for 2 or 3 years in order to ensure the complete introduction of the settlement and the final adjustment of the various petty disputes between the superior and inferior holders.

Secretary.

To—The Superintendent of Revenue Survey.
The Deputy Commissioner of Kadur.

No. 47.

2160
7 JUL 84
DEWAN OF MYSORE

188

From The Superintendent
The Revenue Survey and Assessment,
Mysore.

To The Secretary to the
Dewan of Mysore.

Dated
Despatched } Mysore 3rd July 84
Received

LR 45-82-7

ENCLOSURES No. 1

No. 329 of 1884.

Referring for the orders
of the Dewan, the question
of the extension of the Dewan's
Order, No. 2711-11 dated 28th
April last to allowing —
Timgarang rates on Coffee
lands of Pattapajitti &c.

[illegible]

[illegible]

No 229 Survey Depts Office
Mysore 3rd July 1884

To

The Secretary to the Dewan
of Mysore

Sir,

In forwarding the accompanying letter No 479 of the 23rd Ultimo from the Deputy Commissioner of Kadur, I have the honor to state that I have no doubt that it was the intention of the Dewan in his Order No 710-11/7 dated 28th April 1884, that the Planters should not be allowed any option but that the rates should be permanent and binding on both sides. To remarks the Deputy Commr. doubt however and as moreover it is not improbable that

that the extension of the order to allowing temporary rates may make the settlement more satisfactory, I have now referred the question.

2 As regards the other points alluded to by the Deputy Commissioner they will be duly disposed of without further reference.

3 I beg that the Deputy Commissioner's letter may be returned with the Dewan's decision

I have the honor to be
Sir,
Your most obed.t Servant
~F. Gauntt~
Superintendent Mysore Rail
Survey

1875. 6746.

From The Superintendent —
Mysore Revenue Survey.

To
The Secretary to the Commissioner,
The Dewan of Mysore
General Department.

Dated } Bangalore
Despatched } 19th January 1875
Received

ENCLOSURES NO.

General No. 670 } 1875—76.
No.

This Office letter
No. 1966
No. 223 of the 3rd July last,

I do the honor to request that the Taluq Divisional Deputy Commissioner's letter No. 479 submitted with this may kindly be returned as soon as possible, and to solicit the early decision of the Dewan on the subject referred to.

I have the honor to be
Sir
Your most obedient servant
Superintendent
Mysore Revenue Survey

1885.

From The Superintendent
Mysore Revenue

To
The Secretary to [illegible]
General Department
Mysore

Dated ?
Despatched } 21st March 1885
Received

ENCLOSURES NO.

General No. 955 } 1884–85.
No.

Da 45-82-91

Soliciting the Orders
decision on the point
referred in the Commr
Supdt's letter No. 229 of
the 3rd July last regarding
the Bandadurs Coffee
lands &c.

Submitted
CR 31-3-85

Submitted to
Mysore
Revenue
Secretariat
1/4/85

Mysore Revenue.
Please put up the Commr
Supdt's letter quoted with copies
& papers are not here.
Peon
10/4
Perhaps.
16/4/86

No. 855 Survey Superintendent's Office
Updatore 21st March 1855

(1)

To,

The Secretary to the Revenue
of Ceylon.

Sir,

As steps towards breaking up the Coffee lands claimed by the Dattaris pittah Badulla an Dargo and Bisagnie Matt, into convenient sized Numbers as enjoyed by the inferior holders, have now been directed to be taken, I shall feel much obliged by a decision on the point referred in this Office

letter

that I am obliged to
remind of the Duty,
I am officially do this
by acquainting that decision.
3 If the hearing of
of Coffee Lands cannot
can be completed this
morning reason the Deputy
Commissioner will leave
no time, in carrying out
the settlement.

I have the honour to be
Sir,
Your most Obedient
Servant
[illegible]
Superintendent of Customs
Kingston, Jamaica.

permanent rate of Rs:1.8.0
per acre might be felt
to be heavy by some of the
inferior holders and more-
over the Deputy Commis-
sioner appeared to have
some doubts as to how
the order in question should
be worded and so thought
it better to refer the matter.
At the same time the
Demand Order No. 910-11 dd
7
above is quite clear as
to the mutual acceptance
and granting of the lands
at the Rs:1.8.0 rate being
a "sine qua non" and all
that

(the) N° 229 of the 3rd

July last,

"That a Select Committee for

Revision and Consolidation

of the Acts affecting the

Revenue (Ordered by the House of Assembly

to be printed 22nd July 1847)

be modified as to

enable it effectually to the

inferior holders to hold

their land at the fairest

rate should it seem

them better than the

permanent tenures laid

down as suggested in

Sect 4 of the Report referred.

Strange that this

permanent

(General Serial No. 31.)

1885.

From Avenue

To The Supt. R.S.

L.R. 45-82-10

Dated 11 July 1885

Despatched -

Received -

Enclosures No.

General No. -

Land No. 785-6

Passing orders and reference as to whether the settlement with occupiers holders of Bisagni and Chatalia Pt Matt Lands should be in the permanent or temporary assessment.

Rec'd 17-7-85

Issue an M.S. today

M.S. to both Superintendent and D.C. Mysore despatched today
[illegible] 14/7/85

(General Serial No. 31.)

Please attend to Pencil remarks by the [illegible] 14/7

188

Prof 17-7-85

From Camp No. 795 - 6 D Mysore 11/7/85

(10)

To Read

Mysore Supdt's letter No. 853 d/ 21 March 1885 requesting decision as to whether the settlement with inferior holders of Kitagari & Dhatatri Pet mutt lands should be on the permanent or temporary assessment.

Dated

Despatched

Received

~~Enclosures No.~~

General No.

No.

Order

There are strong reasons of convenience why the settlement should be at the rates of the permanent settlement, as very clearly directed in para 4 of the Dewan's Procgs No. 710. 11 d/ 28 April 1884. The 30 years' settlement ~~temporary rate~~ would be extremely unsuitable for the lands in question, as ~~they~~ it will require revision at the end of 30 years, and may possibly lead to doubtful claims of enhancement from the Mutts & to enquiry by Govt. ^ of possible [illegible] of the tenancy. The permanent tenure was a cardinal condition of the arrangement finally sanctioned in the order of 28 April 1884. The permanent rate is Rs 1.8.0 per acre, and this should be invariably imposed

Order.

In the settlement of the [illegible] in the [illegible] of the [illegible] and the Dathatri [illegible] [illegible] comply with the [illegible] [illegible] already directed in this office proceedings of 28th April last [illegible] by the rules applicable to [illegible] estates, [illegible] having the option of the permanent or [illegible] rate and the right to progressive [illegible] [illegible] in cases within the plantation [illegible]

much deteriorated
and decrease the Cassava.

I have the honour to
remark it is stated
that in practice, during
these years the Registrar
gives & the Land Court D. Ct
use a Certificate stating values
and the assessments & Endorsing
proposed rents their agents:
this is not a representation
that will be accepted
as sufficient before
authorising the settlement.
Whose duty practically
does it rest to decide
what the proper & the reasonable
Cassava rent is then
& the settlement? Unless it is
stated & stated position & specified
& the Land Court
& the Registrar

Except as regards
the inferior lands
referred to in para
the Rules above
quoted, in the Case
which the D.C
fix any rate betw
1R. & 1½ R per
acre, on the distinct
understanding that
the rates so fixed
shall be permanen

The rules of 2 Aug
1881 as regards rate
assessment for a
few years shd. be
applied to the
lands in question
in so far as the
may be necessary
On other questions
the D.C
the Survey Dept
will issue the
necessary instructions
The D.C. letter No. 4
23 June 1882 with the
reply to the Survey Dept

To the Surveyor, with letter
No 174 of 23rd June for information & return

The Registrar of Titles

11/7/82

(12)

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 11th July 1885.

READ—

Survey Superintendent's letter No. 855, dated 21st March 1885, requesting a decision as to whether the settlement with inferior holders of Bisagni and Dattatri Pit Matt lands should be on the permanent or temporary assessment.

CAMP No. 785—6, DATED 11TH JULY 1885.

ORDER THEREON.—There are strong reasons of convenience why the settlement should be at the rates of the permanent settlement, as very clearly directed in para 4 of the Dewan's Proceedings No. 710-11—7, dated 28th April 1884. The 30 years' settlement would be extremely unsuitable for the lands in question, as it will require revision at the end of 30 years, and may possibly lead to doubtful claims of enhancement from the Matts and to enquiry and interference by Government, and to possible disturbance of the amount of the quit-rent. The permanent tenure was a cardinal condition of the arrangements finally sanctioned in the orders of 28th April 1884. The permanent rate is Rs. 1—8—0 per acre, and this should be invariably imposed except as regards the inferior lands referred to in para 6 of the orders above quoted, in the case of which the Deputy Commissioner may fix any rates between 1 rupee and 1½ rupees per acre, on the distinct understanding that the rates so fixed *shall be permanent*. The rules of 2nd August 1881 as regards reduced assessment for a few years should be applied to the lands in question, in so far as may be necessary.

2. On other questions raised by the Deputy Commissioner, the Survey Superintendent will issue the needful instructions.

3. The Deputy Commissioner's letter No. 479, dated 23rd June 1884, will be returned to the Survey Superintendent.

V. P. MADHAVA RAO,
Offg. Secretary.

To—The Survey Superintendent, with letter No. 479 dated 23rd June 1884, from Kadur, Deputy Commissioner.
The Deputy Commissioner, Kadur District.

1885.

GOVERNMENT OF MYSORE.

REVENUE.

PROCEEDINGS.

Dated 11th July 1885.

Disp. No. 785—7.

Passing orders on a reference as to whether the settlement with inferior holders of Bisagni and Dattatri Pit Matt lands should be in the permanent or temporary assessment.

Govt Government Press, Bangalore.—22-7-85.—30.

References.

File

dg H5-82-11

(General Serial No. 29.)

1885

From

The Deputy Commissioner

Kolar Dist.

To

The Secretary to the Dewan

of Mysore.

Dated 14 } August

Despatched 15 }

Received 17

Enclosures No. 0

General No. 294 / No. } 1885-86

Sir,

With reference to the Proceedings of the Dewan no: 785-6 dated 11 "Ultimo regarding the Settlement of the Babaludan Darga and the Bisagni Matt lands, I have the honor to forward for information copy of correspondence ending with Survey Superintendent's letter No: 4037 the

11th instant, As in the
the results of the reas
it will be impossi
to settle these Inam
a delay of a year w
occur before I will b
able to carry out the
orders of Government
contained in Proceed
No: 710-11 dated
7

I have the honor to
Sir
Your most obedt Servt

Jos Pitchford

To
H. M. Deputy Commissioner
Ratnagiri

No. 641.

Kurseong Settlement Office

Chikmagalur, 31st July 1885.

To

The Superintendent,

Mysore.

Sir,

Adverting to the Proc: of the Deputy Co/35-6 of the 11th instant, I have the honor to request that as it is most desirable that the settlement of Durga & Bisagni lands should be done at the same time as the settlement of the rest of the coffee in this District, measures may be kindly sent early in October. I shall arrange that assistance is given to the men and that the Plan Peons is done side by side with the measurement, so that the settlement papers

as October next.

I have &c

Sd J. F. Grant

Capt. Inspecting Army.

Copie

Frith Clerk

Dft Commissioner,

Land Office.

may be got ready by March
or April

I have &c
Lt G. F. Beckwith,
Deputy Commissary.

Commissary's Office
Bangalore 1st August 1835.

No 403

To
The Deputy Commissary
Madras Dt.

Sir,

In reply to your letter
No. 641 of the 31st Ultimo, I have
the honor to inform you that
owing to the heavy account
of Japanese work during the
current monsoon it will
not be possible to spare
any Lascars or Bullocks

No. 47.

188 7.

OFFICE OF THE
2748
20 JUL 87
65
OF MYSORE

From

The Revenue Survey and Assessment,
Mysore.

To

Dated

Despatched

Received

Enclosures No.

No. 322 of 188 7.

Has the honor
to request that the
Inam Registers of
Bisagui Malur
and with the above
may kindly be
returned as soon
as possible.

I have
Supt Mysore
Revenue

δ

No 2798.

(174)

To

K. Seshadri Iyer, Esquire, C.S.I.
Dewan of Mysore.

The humble Memorial of
Sajjade Syed Goos Peer Kadri Khan
Bahadur of Guru Dattatreya
Bababoodan Swamy Durga, Kadur District

Respectfully sheweth.

1. That your Petitioner is the present Manager and Custodian of the Durga.

2. That your Petitioner deems it expedient to give a brief account of the origin of the Durga, in order to make the nature of his case to be clearly and correctly understood.

These hills and the shrine are respectively known to the Hindu world as Chandradrona Parvatha and Guru Dattatreya Peetha, and the Mussalmans call the latter as Bababoodan Hayat Kalandar Swamy Durga. According to tradition, which is partially borne out by local legends, upwards of 300 years ago, a Mahomedan sage named Bababoodan Swamy acquired the hills by conquest from Rallaiya, Ruler of Kalhatti. Guru Dattatreya Swamy is also said by another legend to have parted with his right to the former, which

Final orders after full consideration have already been passed in the case on a recent occasion and after hearing all that Mr Goos Peer Kadir had to say & explained how it was not possible to pass any ~~other~~ orders other than those already passed. This Petr adduces no grounds for any modification of orders already passed.
[illegible] 8/10/87

Draft Govt [illegible]

for upwards of the last fifty years have been completely established.

9. That from the Sunnud of the late Dewan Veerkery dated 5th November 1832 (of which an English translation is attached for ready reference) the Government will be pleased to perceive that the village was enjoyed from time immemorial as Inam, that it was excluded from the Government Coffee Contractor, that His Highness the late Maharajah, who had ordered its attachment preparatory to an investigation was pleased to direct its restoration, and the Inam was ordered to be continued (jarry) as heretofore.

10. That the extracts of H. H. the late Maharajah of the marginal

Pramana = 82.83
2nd & 3rd September 1828
18th February 1829

dates also clearly bear testimony to the existence of the Inam from before that period.

11. That in these Sunnuds and orders, only the Coffee crop is mentioned for the very simple and sufficient reason that there is no other cultivation carried on in the boundaries of the village which is situated, as Your Honor is aware, on the brow of a range of lofty mountains.

12. That the duration of the Inam and its continuous enjoyment under the present tenure for upwards of the fifty years preceding the assumption of the same Inam Office being established

on the said land, being given Certificate of Title and Register.

5. That in taking the said [illegible] the Applicant has duly complied with all provisions, required to be complied with, and is entitled that the Certificate of the land applied for be granted, from the date of the Gazette notification, and that the Registrar of Titles be directed accordingly.

6. That the said Village was laid out by the late Native Minister as a Native Village and reserved for the purpose by the said Crown Grant (vide Depts). But the case was not clear of difficulty for reasons which [illegible] it unnecessary, that it should be referred with the consent of all parties.

7. That from Crown Law Office Memorandum dated 27th [illegible] 1867 Case [illegible] under which the land should be dealt with & Grant-Deed of the fourth Reservation, in lieu of the [illegible] and third clause. With reference to this Order, Crown Lands Department have been the [illegible] Certificate.

8. That notwithstanding the terms of any Deed which the Native Owners of the Claim, for Crown Lands Purposes and with Ministerial Approval to the Native Office Regulations, Agreed as well to Authorise Certificate of Title, Deed to the Native Village

Map to be a measure governed by Hindu religious records. The sanctity of the place is considered so great by the Rajahs who frequent the Shrine, as also the ascetics that if Rai, even a Raja, no female is allowed to stop on the premises for more than one night. There are Jain temples situated about half the distance about a mile and a half to the East of the Durga, known as Jaisamandram and Ambapur, and Bader Kapur, also called Mirandi, at a distance of six miles to the West of the Durga. These have been for centuries the abode of a Mohammedan community chiefly employed in the service of the Shrine.

3. That throughout the existence of the Cowley Shrine and its forerunner recorded incidents by the various Rajahs under whose sway that part of the country fell. Later on Akbar the Great Moghul Emperor not only visited the Mandir but also granted to the Durga Sahib of 12 villages in Ajmere District, Kishangarh and Kerowli, etc. Sultan Salim of Mogul confirmed the same to the Secretary called the Sri Sharan Das Ojha (4.)

4. That the Ojha's predecessor had successfully managed the Institution and administered its revenues derived from the Offerings in the Temple of Ambapur village and the Temple

by the Special Orders of Commander Yon Esthen Superintendent and Paymaster of the Navy and Marine Corps of the United States of America, and the Secretary of the Navy, any Vacancies of said Commissioners shall be filled by the Governor of the State of Illinois.

III "All Fines, Issues and Forfeitures under the Act Incorporating the Illinois Asylum for the Deaf and Dumb, shall also be paid into the Treasury of the Asylum, and the Treasurer shall keep a separate account thereof, and report the same to the Trustees at their annual meeting."

IV. That the Board shall choose a Secretary, who shall keep a true record of their proceedings, and perform such other duties as may be required by the Board.

V. That the Board shall choose a Steward, who shall keep a true account of all moneys received and paid out by him, and shall give bond with sufficient security, to be approved by the Governor, in the sum of Ten Thousand Dollars, conditioned for the faithful discharge of his duties, and for the payment over to his successor in office, or to the Treasurer of the Asylum, all moneys, property and effects in his hands belonging to the Asylum, at the expiration of his term of office, or whenever he shall be removed by the Board.

VI. That the Steward shall keep a correct account of all moneys received and paid out by him, and shall render a quarterly account thereof to the Board, at each regular meeting of the Board, and a full annual account, ending on the 30th day of September, which shall be laid before the Governor, at the annual session of the Board, in December.

VII. That the Steward shall keep a correct account of all articles purchased, and of the prices thereof, and shall render a quarterly account thereof to the Board, at each regular meeting of the Board, and a full annual account, ending on the 30th day of September, which shall be laid before the Governor, at the annual session of the Board, in December.

Dr. Hart in favor of the Proceedings
whereupon agreed to & it was duly put the ques-
tion on the Main Canal Extension & the
same was carried said Canal ditch & Gran-
=ted. Jos. Hernandez Esq. here rose and
respectfully stated that his Excellency
it appeared to the Court, or in no instance
it was an entire stranger Hernandez came
in the account of the said Canal, and
he was paid in St. Augustine &
Orange, & hence the office would
expended by the Court and all incurred
in the said extension were required by
a proclamation of the Governor
Government to obtain. Chas. Stimer
Patten Esquire the same at Data for
the Lands situated in the Comp - as the
rule was applicable to such Lands as were
paying Drainage Canal Tax to the
Superintendent & Engineer reserved to the
for the Sale of the Commissioners and
Esq. Esq. to the Amount like after
Lands included situated that the same
of Patta for the drainage of the Swamp
should be deemed conducive the Engineer &
the Governor by the Engineer Secretary &
Engineer & a Copy from the Proceedings
all the Lands were called upon by
the Clerk, to produce their Evidence
Lands which the Claimants Execution
from the Sale. The Jury Retired in
the Jury Deliberation the Title - Justice
Mr Dennis was directed to make a
Survey of the main Canal. Mr Hart
23 of March next the Report Said
Entered. Said details are stated

18. That your Petitioner would have likewise submitted for ready reference the Inam Register, in which the vouchers and documents now relied on herein were quoted, after examination, but his application to the Inam and Survey Superintendent for a copy was not complied with by that Officer. Moreover the copies of deeds now in your Petitioner's possession have been initialed by the late Chief Commissioner Mr Bowring and Colonel Baker, the late Superintendent of Nagar, thereby showing that they were in existence and were examined by some of the highest officers of the State long before the Inam Enquiry was started.

19. That your Petitioner humbly begs that H. H. the Maharajah's Government will be pleased to take into consideration also the circumstance that the imposition of a Quit-rent on so permanent an [illegible] so ancient an Inam, which is attached to a shrine held in such veneration by the Mussulman portion of H. H. the Maharajah's loyal subjects, cannot but lower it in their estimation.

20. That the Inam in question has been continued uninterruptedly during the British administration of the country when the documents in Petitioner's possession were repeatedly examined by the authorities. The Coffee Jungles in the boundaries of the village were also surveyed by a special Surveyor named Mr Kenner and his [illegible] must be in the Huzur Records. There were several questions regarding the [illegible] rights and the then authorities decided them in favor of the Shrine (Vide [illegible] [illegible] 295 dated [illegible] August 183[illegible]).

[illegible]

[illegible] [margin note: illegible handwritten note referring to the Deputy [illegible]]

Confirmed on the old town survey
which was of the Dauphin village and
the Lower attached to the lands of
Richmond and Near Castleton of
the Bayard village, the Bounds Each
10. That no Appeal either for or
against the validity of the Petition made
as aforesaid, can be Drawn from
the circumstance that the boundaries of the
Village were not Defined in the Record
or Documents. The Credible Information of
the fact is that Reached in the Village and
on the Spot the night and Next Morning,
And Especially as the Inhabitants were
under Well Grounded Apprehensions
Equally as a Whole Village in the United
Plain country Cannot and Should not
be Expected from the Petitioners, Credible
Information is Announced that Previous
to the Decree Always Law was Kept in
Depository of Credible Evidence, where
the Surveys of the Village began and
Ended in the Northward.

11. That the Petitioners respectfully
Suggest that since the Date of the
Decree Plan above under Laws Same
Rule II, the Highest Number Above

F. "Bridgewater Mills"
"Bowen, Adams"
"in Case in Each"
"Quit-Rent"
"Specialties."
"Here is a"
"Transfer"
"Surplus in"
"Favor from Main"
"Body of Records"
"And Next Reports"
"Being a Special"
"Act this Date"
"Specialty Rule 2 of"
"Quit-Rent not to"
"Charged on Special Case"

of Rule II, (Vide Surgin)
is Inadvertently, in-
stead Case of no Patent
Could from the Records
of the Office such
Cases Plotted above
that of the Petitioner
to be Considered Entirely
Exempt in Detail
of the Decree for Upland
Six Century.

line de Sale, à 5 m. à l'Ouest [illegible]
[illegible] par une pagne "Vavaau" et d'où
à quelque temps de Sale pour se rendre
[illegible] à Vavaau avec un vent
violent et mer très agitée. Le 'Queenscliff'
being the Canal-Boat Vessel.

22. Etat under the circumstances
that Chronicle must necessarily contain
his opinion the Inhabitants proceeded
to the Island to commence the new Agricultural
Year and the visit was not taken
until on the 24th the Estimate and
Report the entire Main Village contained
Seven Sale Tea & Port-au.

23. Etat having their Home Govern-
ment the last and [illegible] which call
for a more general consideration after
care, for Mr. Marshall by Lane to
Samoa, went to the Main with Eden
under Queen, which instruction the
Captain Commander and Lieutenant
Lane Lieutenant Main & the Land
Attached to the Brigade Mail.

24. Etat in this to clear Sam-
-pan of Jean Petit Thouars Estate
he state to proceed to the Main Island
Samoa, which is accurately correct.

25. Etat the Sailing of Brigade in
which the Brigade Mail was taken
by the Library Department here at Samoa
time Queen to their Mountains, for
according to Upon Captain Brigade
Samoa to the Island of Upolu
(Situated to the N. West) Captain
Lane and the Brigade detached near
Captain to Jean Petit Thouars Place
and it is anchored near the Island

Letters by that Government were
to proceed to take on that day to the
Right Hon. commanding their Militia.
That time was kept secret from the Britons.

30. That in consequence an understand
letter to instigate them that was the
Alarm at once Government will
be guarding away to Sir Isaac Brock
that secret should Alarmed and will
further made for Niagara a Claim to the
right of Canada Newly that Upper
Belong to the Indies & that Main village
is the key over Canada Natural the
Canal Navigation Alarming Can been
Incorporated.

31. That the Enjoy Right to
not make the last attempt towards
Obtaining Recognition over Independent
State - granted since either when
under his M. Britain Protection
Accordingly once called upon to Act
to protect their Citizens Right to the
Right, in at the same Statement, since
they under of Canada, would upon
Holding direct from the State or
Upper Canada to each his Citizens
to the same Departure, Respecting
to the Settlement Next. The fact that it
is Entirely right to show that the
Passage of the Enjoy Right Government
Commence on the Part Upon Upper of
a Separate Settlement.

32. That your Citizens, took

independent of the Dharmasthan shrine.

28. A first glance at the sketch appended, it will be perceived that the locality in which the Bhagwa Math is situated has from time immemorial included in the block contained within the permanent land-marks described in para 26 above, and that the Survey Department [illegible] the first time cut it into two parts by drawing a wedge in the direction of the Bhagwa Math and running a large slice around it from the Dargah land right in the middle to the boundary of the Bhagwa village. Although the continuity of the main village has been as above broken by the Survey Department, it will be clear enough from the circumstance that the [illegible] of the Dargah not only overlooks the Bhagwa Math lands on every side, but the so-called Bhagwa Math tract contains houses attached to the Dargah and occupied by its servants. The sacred tank known as [illegible] is under the present delimitation included in the Bhagwa village, outside of the Bhagwa Math's block; but it is an undoubted fact that it is attached to the Dargah, and fees are periodically collected at it from pilgrims to the [illegible] of the Dargah.

Ich.

29. It is quite opposed to the laws and practice of the Indian Settlement in this country to recognise as independent the subordinate hamlets subservient to [illegible] allotted more or less controlled by the holder of whole main village. And [illegible]

village would have been so grateful to the Lord and the Virgin that they would certainly have dedicated it to the village.

Ref: that the boundaries between Pétange and Rodange called from the Luxembourgish "Bëtteng" and "Rued Gaalgebierg" is not really known as "Gaalgaardi". These names were recognized by each of the communities and have since been granted, and legally so, by these Communes. This decided in his favor given in 1824 by the Luxembourg Court of Appeal, that the boundary between the two communes of Pétange and Rodange should not be changed. The Pétange village have given the name of Notre Dame, their Luxembourgish patroness, their respective communes and Pétange have since to a long time the spot as it was the Pétange Path is changed. The Pétange has also since Pétange Registrars, as the original was destroyed with the Pétange and Rodange the late Chief Commissioner fire, but the latter was burned the Pétange Path by Mr. Watton will be fully done at

Dy: that the as it was at the date, within the above boundaries and case of the just mentioned with the Belgian Secretary, Office Pétange carrying a map, also was attached to the Depot des Plans Pétange and signed by the Secretary Registrar Commissaire such possible letter the Petition of the Pétange Path for the village in the Council of the Commissaire

Case not to any [illegible] sent to [illegible];
for as soon as he became aware of the demar-
cation by the Survey Department which he has
endeavored to show to be wrong as above he
complained first to the officiating Superintendent
of the Survey Department and begged them
to correct the name of the Bijapur Math [illegible]
the record known as the "[illegible]" and after some
correspondence the Superintendent issued to the
Petitioner an endorsement No. [illegible] dt
stating that the entry of the name at the
measurement and demarcation was made
from local enquiry, but that the rights
of persons in occupation were not thereby
affected.

33. That for the foregoing reasons,
Your Petitioner humbly prays
(1) That the order for the [illegible]
[illegible] of the [illegible] held by
the Bijapur Math may be cancelled
as it is part and parcel of that attached
to the Bababudan Darga.

And

(2) That the land [illegible] as
above from the Darga village and
added to Bijapur [illegible] ordered to
be replaced to the former as heretofore.

That for this act of justice your
Petitioner will humbly pray.

Bangalore —
Lalbagh Road
Bada Makan
8th September 1887

(Signed) Sajjade, Syed
Gous Sha Khadri Khan
Bahadur of Guru
Dattathreeya, Baba
Budan Swamys Darga

حضرت بابا بدین حیات البحر

حضرت خلد مکان

عاملان حال و استقبال زمیندران پرگنه دانوس تعلقه نگر بدانند

دوازده موضع بتفصیل ذیل علاقه پرگنه مذکور که جمع کامل آن مبلغ پنجاه هزار دون و بیغلم و شش زانه باشد

بنیاز درگاه بموجب سند بندگان مقرر و جاریست در بنولا بدستور سابق

بحال و برقرار داشته شد - باید که موافق مضمون مقصود خادمان درگاه واگذارند

که حاصلات آنرا باز احیات درگاه آورده بدعاگویی دولت ابدیدت مشغول باشند درین باب

تاکید دانسته حسب المسطور بعمل آرند

اسامی موضع

۱۲ موضع
سه کامل

موضع کوله کاموی سه ام کامل حاصله سه هزار	موضع ملکاره سه م کامل دهزار	موضع کیل کونتی سه م لعه هزار	موضع بوون ملی سه کامل سه هزار ۱ م
موضع ها روهیکه سه م کامل لعه هزار ۳	موضع کری کلدی سه م کامل سه عه هزار ۷ م	موضع سنگ ملی سه م کامل لعه هزار ۳۰ م	موضع کیسوین منی سه م کامل سه عه هزار ۸
موضع کوله کانی سه کامل وعه ۵ ۲	موضع ناپل سه م کامل لعه هزار ۱ م	موضع ایکوره سه م حه هزار ۴۰ م	موضع ناگر بهاموی سه م کامل سه عه ۳۰ م

تحریر فی التاریخ هفدهم ماه رای مرسال ازل مطابق پانزدهم شعبان سنه ۱۱۹۸ هجری

علامت و سنجط
ریحانست

Sheriff from the Governor of Madras to Ahmed
Ameeden & Cassembhy in London of the Peyda
Sooda Sowdagar, 2 Feb. 827). The Gov.
learned the Company's Civil Servants
has appointed the Council of the office pro-
tem in the room of the Master and Council
of Fort Marlborough. A Sheriff was sent from
the Factory in order to ascertain whether
the Abolition was caused by Government
or by the Contractor. He reply'd that
that the office from the Factory
of Penang' agreed with that from
the Sea coast to be enjoyed by the Dayat
Mejer Sahab & the Fine Steer, Sali Saleh
obtained the Contract; that since the said
Sali Saleh had the Contract, the Seafaring
could not live & the Burmese would
pull pull up to Mejer Sahab; that the
Malabars say that the Burmese did not
trade for Days and Sandal wood but
part of the Teak: and that when there
was trade, the remaining money
Sheriff's Office was detained till such
as Mejer that a Share was due to him
and that the detention was made
by the Director and not by the Govern
Sheriff ordered a Letter to the office cop
Price Mejer Sahab was engaged by the
Malabars the Director should be direct
not detain any Share and that
back what remains of the Price of
the office taken from the Malabars

Order from the Dewan Cutcherry
dated 6th March Subah of the
Nundana corresponding with
23rd November 1832.

Mohadeen Shah Khady of the
Bababoodeen Hills has been
enjoying a Niam the Coffee
produce from six the nine memorial
Ware Lands of the Village
Attigaul in the Hobli of Jigara,
altho' the enjoyment is not entered
in any Government accounts.
There is no record of the Coffee having
in any year been received on
behalf of the Government. Till the
time the Coffee produce was taxed
and full Sixth the Moodeen had
been enjoying the said produce from
time immemorial. Recently
for several reasons in accordance
with the rules of the Cutcherry
the Khatrayed the said Lands
was attached. On the same being
reported to the Commissioners office
Order was sent to Amildar Canara
to take account of the produce
through a Mootaddi. The Amildar
had accordingly appointed a
Mootaddi who took account of the
Coffee produce of the Kutth Lands.
The gross estimate was 739½ Maunds

of which the Sarkar's share was 568½ maunds. The Collector had written on the 30th of July to say that the said rice was set apart in the presence of the Mutt. On this the people of Mokadri Shah Khadri of the said Mutt came and petitioned the Huzur. In order was issued on the 7th June from the Huzur to the effect that the office attached should be vested, and that the Inam should be continued henceforth. The pay of the Mutawalli appointed by the Government for the work and other contingent charges should be received from the Taluk, and the attached office could thereafter sign and the Inam land should be continued hereafter.

Receipt from H. H. Srinivasa Raghavendra to Dharmaraya, Amildar of Karkala for the Sharavu Subha of the year Saravari (= 1-9-28). The petition of Hiriya Shah Kiadi of the Durga of Bahubaleshwara has been duly entrusted to the Sirkar. There is a Betelu in the village of Yedamu in the Taluk annexed to the Makan on the top of the said hills. The rent of the coffee produce from thereon used to be enjoyed by the said the Raya of Ayder etc. down up to the year Sidhartha. The Arasaji Shetti are of the opinion that the two contracts of coffee has claimed a share in it. On examining this it appears that the produce of the years Vartana and Vyaya have been attached but that of the year Sarvajit has been released. Who detained the produce of the years Vartana and Vyaya? Whether has no reason to detain the coffee produce of the above lands. Was the detention caused by the Government or the contractors? What is the reason of the Crops being attached and the 3rd year released?

Order issued by Major Peter Lebrun
Surveyor of the Royal Forests of Canada &c. &c. &c.

In the matter of the Complaint
of one Silas Reed, Inhabitant of
Barnstable this 6th day of
August last, on the
Provincial file of the year 1821, com-
plaining that Joseph Crocker
trespassed on the Timber cut in the
Crown Lands.

Whereas I the aforesaid Surveyor of the Royal Forests attached to the Province is duly empowered by the said Warrants to issue writs of Summons for the appearance of the said Joseph Crocker before me at the late Court House in Barnstable after the reception of the same by the Bailiff, and from the late Surveyor Bailiff Lothrop of the Province aforesaid dated the 4th December 1821. & appears from the Records of the late Provincial Court that the said Joseph Crocker - has regularly Summoned. The said Timber was cut in the first Royal Province Line the same Boundaries to be held as heretofore until further order.

Mili para te Mitra ni te mata ki
Mujra ki te jar Saratram, kmpundig
with the jar 1820-21.

8th Wednesday.

Reply to Khansaya Sinder ki Sahebapata
Mai Sai Sadri ki te Jaharwallajii ni
te Sait Lavji Umjiwand & the Rajan
Mat Thangji Visit wished to open pan
ni the Bay and ki te Mosjid at Sanjapur
Village; but the Sait ki te Jan Sattva and
Vijya had not obtained, but the Sait Jan
Sarajik was not. All parties were called
for. Mai opened the to open pan ni the
Mew Village of Sanjapur was not obtained,
but the Sahaukar Lavji Jina Sait
Jagjiwan ki till sent from after the ni
the Rajan Sinha ki te Jahannakam and
ki te Jar Jethabhai Nagaji Muldas
ki Ranaji, in Sile was visited take
a Khat ni te, Sadu; but Mai te said
Jar Jethabhai, Mai Sailla Sadu ni te
Jamnagar; and, Jar Jethabhai to
Khatan te mentioned after the was
Sailaj to Thangji Sait Sait Sahe after
Jethabhai; but ni after the Sahe ni te
Sait Khas Amaratrijs Of Ingoda was
Sait Sile; Sait te Sait Vaidas Sa Sadu
ava te Jadu to Thangji Sait Sile
Jar Sitaram and Jaga, the a Sal-
Khas after the after Jar Thangji Amaratrijs
to Jar Mandvaratan by Thangji Ni
and Mati ni te Jamnagar Khatan,
Mai after Jaga Sile ni Jethabhai te

Prudence ne me fait voir les travaux, dans les étrangers avoit toujours le Dessus. Je n'ose dire, sans me faire soupçonner de vanité, que j'ai rendu de grands services au Gouvernement. Je veux me rendre justice à moi-même. Et le 28 Février entre le premier accent de la Cause Suisse, les deux années, le Directoire fut notifié.

Je ne vous dis rien de notre Gouvernement actuel. Vous savez le tableau fidèle que Mallet vous en a fait. Vous connoissez son caractère. Il est à désirer que les Citoyens qui le dirigent, ne se laissent pas entraîner par l'esprit de parti, et qu'ils ne se rendent pas les instrumens aveugles de quelques factieux.

Chitty Jaun A. R. Srinivasa
Mudaliar to Subbaraya Mudaliar
of Sankaranaina Nallur Dedicated
for Swami Bakti of the year
Sarvadhari (= 3rd September 1849).
The petition of Chitty Sami Naidu
of the Village of Balakondapuri in
the said Taluq setteth forth
that through the Petitioner's
sister neglect: —

That all the coffee seeds
grown on the hills and the
enjoyed by the Mahamadan since
the days of Hyder Ali Khan, and
the enjoyment has been continued
to the offspring of Sidhan; that
the Amanapi Chief on behalf
of said sahib the arbitrator has
detained the said coffee on the
plea that a Kare thereof was due
him, and that the Mahamadan
has planted certain trees in
the Kaval vacity of the Nakare
in the year Chitrabhanu, from
the fruit of which a Kare was
due him; and that he also
detained the coffee berries of the
Mahamadan in the village of Sirguppe
of the above Taluk. Enquiry
was also made in person from
the party concerned. In

5

Appears that all the effects found on his death and in the house of the Sergent's village, for the years Parthia a Vaya was detained: whereas that for the year Sarvajit has not been interfered with. How can detained the crops of the years Parthia and Vaya? There is no reason why Sahi sahib should have interfered with the effects found in the Sarvajit lands. Did the detention caused by the Government affect the cultivation also? What is the reason for the effects crops to be detained and the 3rd years crop to be released?

1/4 227

(General Serial No. 31.)

1887

(13)

From R

To The Superintendent
Revenue Survey

Dated 31st October 1887

Despatched

Received

Enclosures No. 3 -

General No. 4242
No. 44

Hic Rs 322 0719 4/4

July 1887

Return, as requested in the above, the Lease Register of Pirapur Mutt &c received with his Rs. 11 077 4/4 April 1884.

Bombay

By

Ex Asst. Supt

(General Serial No. 34.)

(15)

No. 2778. ENDORSEMENT.

In reply to his Petition, dated 5th July 1897

A. K. Gous Shah Qadri F.R.C.S. Surgeon Retired Civil Surgeon Bangalore, Tal Bagh Road Seda Siva Rakan

is informed that final orders after full consideration have already been passed in the case, and on a recent occasion after hearing at that R. K. Gous Shah Qadri had to say the Dewan explained how it was not possible to pass any orders other than those already passed. This petition adduces no ground for any modification of orders already passed.

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
188 .

By Order,

Secretary.

25/1/97

C. 5256/94

Mysore Government Press, Bangalore.—7-9-95.—2,000.

Sent to the Civil Surgeon, Kadur

(General Serial No. 31.)

1888.

1542

97

From The Dy: Commissioner,
Kadur District

To

The Chief Secretary to the Dewan
of Mysore.

Dated 7th

Despatched May 1888.

Received

Enclosures No. 1

General No. 497 } 1888-89.

I cr. 124
14-5-88

Ld 4-5-88-15

With reference to para
6 of the Proceedings of the
Dewan dated 14th October
last (1887) for the purpose
to state that the Special
Permanent Cadastral Survey
fees for were sanctioned
for the Yemmedoddi Hobli
Sakleshpur will be carried
for the Coffee Lands in
Kapparatti etc. The Su
perintendent of the Cadastral
Survey in Mysore is of
the same opinion
With Extract of para

Of his Kanarese yadi
No. 95, dated 5th March
1888, Enclosed.

Lieut. Col.
Dy: Commissioner,
Kadur District.

(14)

ಕೆಳಸಹಿ ಮಾಡಿರುವ ನಾವು ಮೇಲ್ಕಂಡ ಕಾಯ್ದೆಯ ಪ್ರಕಾರ
ಕೆಲಸಮಾಡಲು ನೇಮಕವಾಗಿರುವ ಕಮಿಷನರುಗಳು ಈ ದಿವಸ
ಅಂದರೆ ಇಸವಿ 1883 ನೇ ಅಕ್ಟೋಬರ ತಾರೀಖು 31 ನೇ
ದಿವಸ ಚಾರ್ಜು ಬಿಟ್ಟುಕೊಡುವ ಸಲುವಾಗಿ ಕೂಡಿದೆವು.

ಇಂತಿ ಕಮಿಷನರುಗಳು

ಕೆಳಸಹಿ ಮಾಡಿದವರು ಮೇಲ್ಕಂಡ ಕಾಯ್ದೆಯ ಪ್ರಕಾರ
ಕೆಲಸಮಾಡಲು ನೇಮಕವಾಗಿರುವ ಕಮಿಷನರುಗಳು ಈ ದಿವಸ
ಅಂದರೆ ಇಸವಿ 1883 ನೇ ಅಕ್ಟೋಬರ ತಾರೀಖು 31 ನೇ
ದಿವಸ ಚಾರ್ಜು ತೆಗೆದುಕೊಳ್ಳುವ ಸಲುವಾಗಿ ಕೂಡಿದೆವು.

ಇಂತಿ ಕಮಿಷನರುಗಳು

Survey No. 47.

1888.

From

The Assistt Collector &c

To The Chief Secretary to the Dewan of Collgrs

Dated 14th Augt 88

Despatched

Received

ENCLOSURES No. 2

No. 97 of 188.

Forwarding corrs rec'd from the Deputy Commr Kadur stating that the special permanent rate of one rupee per acre, as sanctioned by the Dewan's Proc. No. 710-7 of 28th April 84 for the gennmd doddi coffee estate within suitable for the coffee clause in Bopitalli.

Sanction the recommendation

BOZ 8/8

Drafted 24/8/88

(19)

1183

29

Copies of Govt Dy. Comr's letters dated 19-7-88 & 31-7-88

LR 45-82-16

No. 97 (17)

Treasury Office
Augusta 14th May 1838

To

The Right Honorable
Lord Glenelg
&c &c &c

My Lord,

I have the honor to
forward the accompanying
correspondence received from
the Deputy Commissioner
Kaduna Division, with
his report of the proceedings
relative to the Slave
Trade carried on at Rabba
for which I am indebted to

Lord

Part of the Land Re-
-ceiving Act, passed by the
28th April 1864 for the Yamma-
-doodi Coffee Estate, will
also be available for the
Coffee Lands in Mysindalli.

Law of the same opinion
as the Deputy Commissioner
Kadur Vide my yadi Ac-
-ct of the 5th March 1868.

I have the honor to be
Sir,
Your most obedt Servant

Captn Assistant Resident

18

Read:-

Letter No 99 dated 4th May 1888, from the Supdt, Nilgiris Revenue Survey, forwarding Docket No 49 dated 9th idem, from the Deputy Commissioner, Kadur District.

LR 45-82-17

Order:- Camp No 617-18 Nilgiris, 7th June 1888.

The levy of the special permanent rate of one rupee per acre, as sanctioned by para 6 of the Govt's Proceedings No 20-11 dated 23rd April 1884, for the Yemmédoddi Coffee Estate, will also be adopted for the Coffee Lands in Hagribetta, as recommended by the Deputy Commissioner and supported by the Superintendent, Revenue Survey.

In Memorandum 97 in Mr Long's Coll. 9.

Draft R.J.

Chief Secretary

MM

To. The Supdt, Rev: Survey
The Dy Comm. Kadur Dist

9
C. 26

R

(General Serial No. 30)

1888. 9

From

To The Superintendent
Revenue Survey
Dehra Dun Kadir

Dated 4th June 88.

Despatched

Received

Enclosures No.

Cancelled
General No. 617-8
No.

General Serial No. 31.)

1889.

2523

41

From the Supd Ingarkeipal.

(22)

To the Chief Secretary to the Govt Galycota.

Dated

Despatched 15th July/89.

Received

Enclosures No. 1 file of cors

General No. 190

No.

Submitting for orders correspondence relating to the Dattakipiffar and Bisagni Mattham coffee lands.

LA 45-52-17

22/7

22

No 190

Survey Office
Bangalore 5th July 1869

To

The Secretary
to the Government of
Mysore

Sir

I have the honor to forward herewith for the information of the Chief Commissioner of the Kadur District, together with the Memorandum on the subject of the Settlement Cases and Disputed Claims to Land and their disposal under Orders preceding of the Survey Settlement & Land Records Department.

2 The Memorandum by the Deputy

Deputy Commissioner is now of chief importance, that by Colonel Campbell may be regarded as finally disposing of the claim set up by the Dattatrayi Durga to the disputed and alienated lands. The Deputy Commissioner's Memorandum however points to the necessity of the further Orders of Government before imposing the suit Rent and confirming the Inam to the Karya and the claim as directed at Para 5 of the Revenue Proceedings of the 28th April 1834 above quoted.

3 In order to illustrate the Deputy Commissioner's duties as explained in his Memorandum I will take the Subdivision called Lower and Upper Bay, now applied after Survey and Classification. Figures may be quoted regarding the Bays will of course apply equally to the whole. The Bays when Cleared are as below.

Village	Occupied		Waste		Uncultivable & Pasture
	Acres	Cultivated	Acres fit for cultivation	Acres not fit for cultivation	
1	2	3	4	5	6
Subdivision Section I	330.6	288.3	302.4	129.12	338.00
Do Section II called Upper	336.31	189.12	11.20	36.4	96.00
Total	667.5	477.15	313.24	165.16	434.00

4597-1
2265-1

The Points to be noticed are Points of Principle. Viz. that

by

by far the most important is the practice raised by the Deputy Commissioner, at law, of his Mem, as it affects the amount and of "the Act" amounting to £3.3.0 and is granted at the discretion of the Institution or Town. These "the Act" Cards have been applied into the Battalion Village but this "the facts" gives no right whatever. I am not aware of anything that the Dept can lodge in support of the claim to these unenlistable Cards Cit does not follow that because they are recorded as unenlistable

they

they could not accept the more

or less brought under cyfiawnhad=
=iadau) beyond the fact that
there have been no pleadings
intended to limit the boundaries
or the assignment by the Constitu=
tion of a municipality
found in the Glamorgan Quarter
Sessions claim to.

4 It may also be decid=
=ed at the Lands Tribunal whether
the Institution for any claim
to the unoccupied waste
land where in cases and of
the preceding Era.

5 The case points being
disposed of there remains only
the

the question of the mode of valuation

to be adopted as

basis for the calculation of the

Quit Rent.

6 If it is enacted that the

Owner is entitled only to the

capital sum actually received

there will be confirmed and

the Quit Rent imposed just

as in ordinary Crown Grant

but not subject to the Rules

regarding areas in such Grant.

If it be enacted that

the whole of the land acquired,

whether owned and stocked should

be confirmed, then I can only

suggest that the same mode

of

of valuation for capital gains tax
sale of ordinary shares relating
wig the fair assessment of the
occupied land, 35 per cent of
the cultivable waste land is
under grazing valuation of the
third land. Under this mode
of treatment restriction
should diagnose physical
aspect, the exploitation of the
cultivable and grandiosal for
other cultivation should
undoubtedly take place.

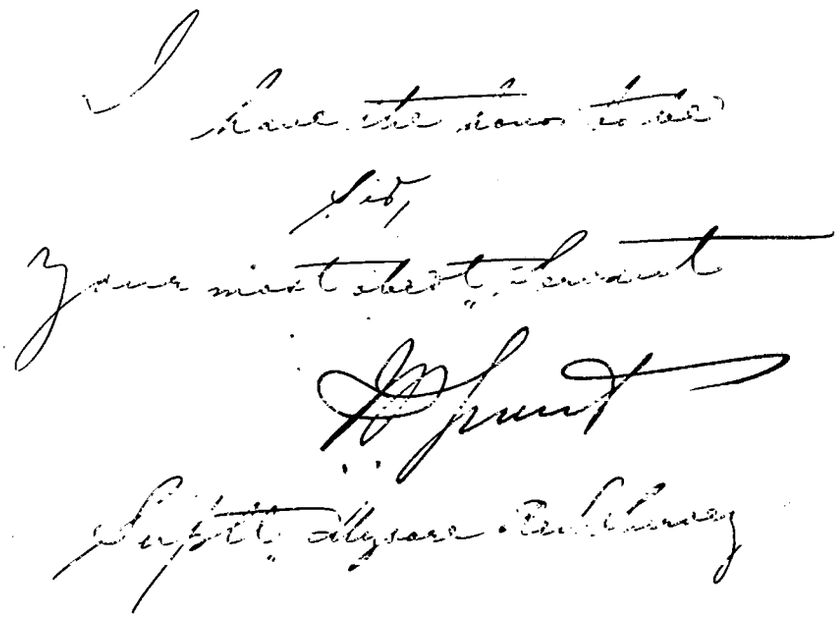
8 The Deputy Commissioner at
Pune of your other applications
the local can should be treated
on the aggregate assessment for
on the actual cultivation.

9 That appears no objection to the Survey Standard numbers attesting the Deputy Commissioner at Para T. living included in the village with as they are of small area.

10 To request of the Kaim Sardar (the Head of Deputy Commissioner's Office) to have the advancement effect of certain Survey Standard should not think be complied with.

11 To formation of section II of Pattapit into a separate Government village to be called Adai with the consent out as suggested.

I



Memo

1- The Participant Tunga Claim forms the North East Corner Pillar Called Participant Post with the Inscription Thereon No 230 and Pleaded that Land Being occupied by H.E.H. Bibi Empress and Mwandisi Pillar forms the Same Pillar Mwendisi Estate-

2- Thereafter Tunga attended Case Depth Required by Surveyor and a Case Pillar Could Form the Mwendisi Beacon No 1 of 1879-

3- Participant Tunga Contended that Other Corner Pillars Case No Pillar Was Altered Illegal Connection Planney Nos 292-293-294 Each Pillar Numbers if Claim as Tunga Owns Land-

4- That Tunga also Claim as Participant Participant Pillage of Brakal with the Surveying Case Numbers-

5- Nor shall such Assents & Ratifications
& Express Legalizations required by
Section 12 of Chapter 1 of the Laws
of Canada 1869 followed
by another Session in this present
Year 1884 of 1885-

6- The said Act or Bill assenting
as aforesaid & every and
all the Clauses in Section 1 and
2 Particular Part of Section
the Seventh Clause of the Village
of Sarnia and its adjoining
Lands-

7- The Parties are thereafter
assessed as follows-
The Village of Point Edwards
& Lands Included thereunto adjoining
Assessed 1/22 & Eq.-
The Village of Sarnia & Lands
and its Lands-

8- The Village Taken into Section
-tion Market Assessed Shall have
Settled & Determination of the Pro-
-per

for Commissioners for respective Wards and Districts, and that Government in Proceedings No 7.: dated 22nd April 1884, which Three Commissioners then sitting at the said Council.

2- That Wards accordingly contain certain Villages included in certain Districts but the Exceptions noted in the Wards have been assessed or contribute to that Institution and that the Wards have therefore no right to Vote at the Elections for the said Wards.

3- That the Ratepayers therefore claim that it has all along protested against the Unjust Arrangement of Wards, seeing that they Contribute Large Sums to the Institution and are Entitled to Representation on the Committee of Management in proportion to their Contributions.

11- And be it further enacted that the Superintendent of Revenue, Customs & Excise shall from time to time pay the Receiver General of Lower Canada the Duties & Revenues collected under the provisions of this Act, deducting therefrom the Charges of Collection, Management & Repayment of Drawback, and the Receiver General shall account for the same in the Provincial Accounts, as Revenue arising within the Province of Lower Canada.

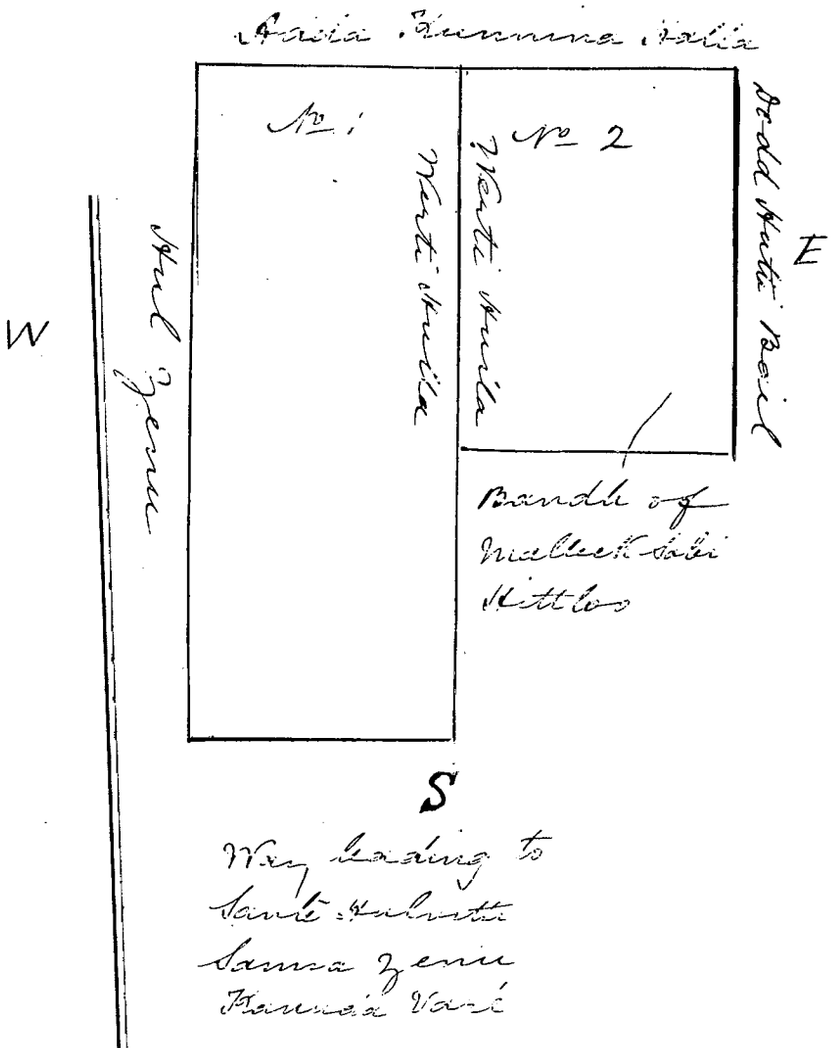
12- And be it further enacted that the Duties & Charges to be collected under this Act shall be paid in the Currency of this Province.

13- And be it further enacted that the Governor of the Province of Lower Canada may appoint such Officers as may be necessary for the due Collection of the Duties & Revenues hereby granted.

14- And be it further enacted that the Governor of the Province of Lower Canada may from time to time make such Rules & Regulations for the Collection & Management of the Duties & Revenues hereby granted, as he may think necessary & expedient, and may alter, vary or annul the same, as occasion may require, and may impose such Penalties not exceeding Five Pounds for any one Offence, as he may think proper, for the Breach of any such Rules & Regulations, to be recovered in the Court of Vice Admiralty in the Province of Lower Canada, or in any other Court having Jurisdiction in the Province, in the Name of His Majesty's Attorney General for the Province of Lower Canada, by Action of Debt, Bill, Plaint or Information, in which no Essoin, Protection or Wager of Law shall be allowed, and no more than one Imparlance; and the Proceeds of such Penalties shall be paid to the Receiver General of the Province of Lower Canada, to be accounted for as Revenue arising within the Province of Lower Canada.

Read the 1st time 22nd Feb. 1833.

15. The boundaries given in the decree, after a plan that the two blocks of land therein awarded to Mrs A. P. Bird have a northern boundary common to both, and their Eastern and Western boundaries are the same. They therefore must be side by side. But the Eastern boundaries differ and therefore one block must extend further to the North than the other. This is illustrated by the sketch in the margin.



16. I have visited the locality and gathered information about the real name and the interested parties differ so much that corroborative evidence must be sought for from other sources

17. Both parties claim as the general Eastern boundary of both blocks and

footpathway leading to Parish Church of Ballintra village to the west.

15 Nos. 3. & part of plot No. 4 bounded on the North by the footpathway No. 2 to the East as to include Nos. 292 to 294 also 295.

16. The Burga places to footpathway No. 1 then to the North as to exclude Nos. 292 to 295 and to include Nos. 296 and, also belonging to Nos. Reid.

17. There is, as I have seen, a footpathway at both places leading to Parish Church and the boundary thus described is merged by deed of no association to either party.

18. The portion of Parish Ballintra Burial is said to be in the neighbourhood of the Burga or Northern footpathway, but the identification is doubtful. Admitting however that it is ascertained it would fix the location bearing of plot No. 2 only. It may be further remarked that if Parish Ballintra Burial was really enclosed to the Burga footpathway as it is now said to be, it does not appear why the footpathway was not given as the Eastern boundary of block No. 2 as well as of block No. 1. I am therefore inclined to place very little reliance on the supposed identification of any given boundary

except

Through base from survey made in 1834 by Valuation Part II Ballymore Parish

except where it is a well marked natural feature such as a "Kulla" or water way, a Tree" or piece of rock, or a "Byle" or stone

22. The points in issue of the Petitioner's claim are that he was entitled, by virtue of ownership, over the land in dispute since the passing of Decree No 187 of 1879, and the Respondents did not contest the proceedings - at least by any open action until the filing of the present settlement Regn.

23. Suit No 1 of 1879.

A. P. Raju & Murthy sued the Petitioner No 1 in the said suit as "Ainavilli Venkata alias Immaneni Gundi."

Suit No 134 of 1880

Appeal Court alias Himavanji of A. P. Raju the Plaintiff sought to establish a permanent Injunction, against the Petitioner the land above described.

The opening words of the Judgment are as follows.

"The Defendant is the present Proprietor of Immaneni Gundy Ramapatrunee called Ainavilli Kulla, under

Decree No 1"

Further on - "The Plaintiff alleges that he engaged a portion of the Land in question called Hacay Hatay as a Mahomedan Planter."

In the end the Plaintiff's claim was dismissed with costs -

24. The same Plaintiff now alleges that the Land in dispute - called Hacay Hatay - for the permanent Right to which he accordingly sued No 1 Point is situated in part of the Land now in dispute - that Decree No 2 & 3 in favour the Mahomedans, and that the Pattuwa claimed by No 1 Point in the Appeal Petition Boundary of that Pattu -

26. It is stated in a claim for title
Rights filed _____ forward by one Ibe
Yaro, Shetti that the land he cultivates
as Mallam is in Survey Number 29,
and he describes in his petition dated
21st April 1858 the Boundary on the east
to the Sampiga Katté near Mallam Ayao
Farde on the road from Ilhymdi to Ba
-kai at the place where the Kalaya —
and the Pattikpai Part Path Boundaries
meet.

26. In regard to this land Chinna —
Shetti makes the important statement
that it originally belonged to Mahaden
Alli Shah Khadri, and then to Mocatti
Pena who used to take the one eighth
share, but he also that he is not aware
that the land passed into the possession
of HM State by a Decree of the Civil
Courts.

27. Chinna Shetti states that he put
in his petition at the desire of the Para
and he must therefore be taken as a
friendly witness to that institution;

but the admission that the lands which originally belonged by ——— indefeasible right to Ranoshi Pera are to be found in land claimed Swan by the Daga, is the strongest possible evidence against that claim while it is entirely in favour of that put forward by Mr. Bate.

25. There are other pieces of evidence which, although by no means conclusive each by itself, help towards the identification of the Southern boundary of block No 1 as claimed by Mr. Bate.

For instance part of the description of that boundary is "Imu Iyeni" (or small ridge) and Imu Iyeni is also the name of a Coffee garden situated in Survey No 173 which adjoins Survey No 208 on the South.

29. On a consideration of the evidence which has been brought together with some trouble and care I am of opinion that Mr. Bate is in legal possession of the lands claimed by him, and that as they were derived from the original owner Kiondoi alli

claim should be held there are independent pattas as admitted by the Darpa, these lands at no time formed part of any inam attached to that institution.

30. If this be so it is of importance in showing that the Darga has no title to the greater portion of the land comprised in the new village Nattam thereby weakening its claim to the remaining portion viz, Kadaikadu inamunnai so that claim is based on the grant of Inam rights over the whole of the new village.

31. Indeed the grant of claim to the lands in the new village and elsewhere as founded upon ancient Pinpoos and Summuds of the time of Tippoo Sultan, has been declared to be worthless. But in the case of both institutions, viz

the Darga and the Natt, Government has decided to confirm to them the lands which, although probably encroachments, have for a lengthened period been in the enjoyment of these institutions.

52. The Darga has entirely failed to produce any evidence of actual enjoyment of the lands which are attached to Rakai and notwithstanding the emphatic declaration on the part of the Revenue Survey Department of the value of the Survey Map Pattatrpat No II as evidence of right the Darga persists in asserting that Government in its order of 28th April 1884 has accepted that Map as conclusive evidence and that the

question

thereon has once for all been closed, the Deccan Inamdar knows it is alleged passed final orders that Inâm & Inamagoondi belong to the Dattatrijit-Inam.

See written Statement of Pleader for 2nd Def. filed on behalf of Legal Practitioner Shri Khapre on 31.7.48.

33. I mention the above prominently in explanation of the circumstance that when the parties went before me on the 30th July, 1948, the Inâmdar Sâhi on behalf of the Durga could produce no evidence to prove enjoyment of the Inâm lands, & declined to cross-examine or comment upon the statements of the representative of the Inâm. Next day he put in the written statement referred to above.

Vide letter to Major Covie & Inamdar enclosure dated 24th June 48.

34. The Inâm has been remonstrative since 1870 against the Devasthân arrangement of tillage, and has produced from time to time a great deal of documentary and other

on rights of any kind
over Mahal or its Coffee
Lands adjoining.

31st Decr 86 R.D. J. A. Campbell
Offg. Conservator

Copy
Mr Cashmere Nestar
Asst Conservator
Kanara Dt.

Bom.

37. The Inatt authorities have also produced three books showing issue of Chits to the Sayer Kutte from 1872 to 1881 — Also six books showing submission of Inortuary returns from 1875 to 1880.

38. In the petition to Major Conie of 1875 there is a description of the Kutt Exam. The original document of 3d Jan. 1850 is said to be in the Exam Commissioner's office. The Kutt authorities have not applied for the original, and I have not considered it necessary to obtain it as I am of opinion that sufficient evidence in favor of the Kutt has been adduced, and that the Durga has no jurisdiction

evidence of more or less
value dating from the year
1840 to show that it has been
exercising Jurisdiction over the
Inhabited Coffee lands — Vide Cer-
tified Copy of agreement dt. 20th
April 1840 executed by the
Engagado & Servants of the Govt.
35. There are also 5 certified
Copies of measurement-lists
of 4th March 1866 which were
made in consequence of a
Despatch No. 184 of 1860 by the then
Principal of the Govt for per-
mission to hold Coffee Lands
in accordance with orders
issued in 1860 - viz that all
Owners of Coffee Lands without
distinction, should obtain
Grants.
36. In the measurement-lists
it is stated that the "Tak-
mene portions of the 'Kani' of
the Inhabited village belonging
to the Govt Farm.

(24)

Read:-

Letter No 190 dated 5th July 1889 from the Supdt, Myore Rr. Survey, Submitting for orders correspondence relating to the settlement of Dattatreepeeta and Bidyari Matt Inam (Office) lands.

Read again. Rs: No-16-11 of 28th April 1887.

No 4173-4 / 49 Dupr 21/80 Order thereon:

Upon information now submitted, it is only possible to lay down a few general principles for the settlement of the Inams (Dattatri and Bidyari) in question

1st Inamdars should be confirmed to their Institutions as whole Inam villages, each occupied land as are now in their enjoyment, together with such waste lands (uncultivated arable or unarable) Inam

1/9.30

1889

Jo,

Re Supreme Court Decree Settlement by Commissioner

Dated 15 August 28

No 4173-4 49

Laying down a few general principles for the settlement of the Mandatia estate pursuant to Privy Council Order.

Memo re Lands Act 22

in force for the valuation of Jeoti villages.

3rd The Institutions should be treated with liberality.

4th Shraya revised rates on present occupied Cossa land will of course not be taken into account in fixing the Survey Valuation, though temporary remission of quit-rent will be granted to cover the loss to Government on account of Shraya now existing.

5th All suits appertaining to whole Inam villages will be appealed to the Commissioner.

2. The Superintendent, Inam and Survey Settlement will be requested to report with maps, the final settlement be much re-commended. The maps should show present occupied villages lands occupied waste and unoccupied waste and unoccupied lands.

3. The Supdt. Survey & Settlement

Secretary to Government

Bombay Secretariat

make compact and convenient blocks. In deciding what waste lands should go to form these Gram villages, general topographical features, the reasonable requirements of the Barga, of the Gnut and of the communities concerned, and of the cultivators of occupied lands should all be fully considered. That a lot of land to which the Barga for instance had really no claim was originally measured into the Dattatriya Pita Village, is no reason why the same or a portion of it should not now be excluded from it and added to other neighbouring Government villages.

2nd The Barga and Gnut should have separate whole villages containing all that Government are given them and these villages should pay ¼ Survey Valuation fixed accordance with Rule

No. 47.

188

OFFICE OF THE
3331
15 III 90
70

1945-52-20

From Supdt

The Revenue Survey and Assessment,
Mysore.

To The Chief Secretary to the Govt of Mysore

Dated 15th July 1890

Despatched

Received

Enclosures No. 12

No. 224 of 1890.

Reference as 1877/90

Submitted as 1877/90

Requesting finally on the proposed settlement of the Dattatreyadurg Bidyadhallah Inam lands.

Shewalkar

17-7-90

No 225

25

Survey Superintendent's Office

Bangalore 15th July 1890

To,

The Acting Secretary
to the Government
of Mysore

Sir,

I have the honor to report finally, as directed at para 3 of Board's proceedings of date dated 49
15th August 1889, my final settlement of the Attaripalli and Bigarlatt Inam (office) Lands.

2 In communication with the Deputy Commissioner last to which, although originally measured into the Attaripalli village, we may consider the Bangarlad pt claim has been included and added

to

to the neighbouring Government villages as per margin. Deputy Commissioner letter No. 173 of 23rd September 1889 copy of which is attached fully explains what had been done.

1 Allahabad Tahsil Nos 299 to 304 both inclusive

2. Kalpani Survey Nos 292 to 295 both inclusive.

3 As directed at para 2 (ante) of the proceedings quoted above at para 1 the Rungs and the Allahabad have now each its own separate village. Allahabad accompany drawing, as directed at para 2 of proceedings, the new villages assigned respectively. The sections excluded and added to Government villages as explained in preceding para and do not appear on this Allahabad Sanctioned lands and unoccupied arable and,

and murabba are shown in colour on each Map.

4 Valuation statement appended shows full particulars. The valuation has been made in accordance with Rules in force for the valuation of Jodi and other classified villages.

5 The institutions have, it will be observed, been treated with undoubted liberality as a mere glance at the Maps will show.

6 It only remains, on my forwarding being effected, to furnish the Inam Department with the usual Valuation Statement as in the case of Jodi & Peshkash villages, when the quit rent will be fixed in accordance with Orders passed on that score.

I have the honour to be

Sir,

Your most obedt. Servant

U. S. Grant

Capt. Topographical Engrs.

Letter from the Deputy Commissioner
Kalna District to the Survey Officer
No 193 of the 25th September 1933

2670

I have the honor in reply to your letter of the 20th inst. to submit to recommend that Pattaripati may part I may be kept unidentified and constituted a separate Jora village itself.

2 As regards Pattaripati Part — the five survey numbers specified in the margin may be No 290, 291, 292, 293 & 294 } conveniently included in the Mahalatta village.

3 Nos 292, 293, 294, 295, 296, 297 and 298 may be included in the Government portion of the Raigaon village

4

4. The rest of the Families in Dattatripith Block No. II and the Biragan Patti Oram Families in Kalyani Part II may be formed into a new Oram village and called the Mahal village. The line from A to B may be drawn as proposed by you and the piece of the block to the East of Chengelpet Tq may go to constitute the new village of "Mahal". The existing rights, if any, of both institutions over the Gokulam Tank, Topes and other lands, have not to be in-
-terfered with by this change.

5 With reference to para 4

of

of your letter under reply I beg
to state that I am entitled under
the Columns of remarks in the State
- ment herewith returned viz one
grant by Colonel Campbell
at the time of the settlement.
6 The maps are also returned

I have &c
Lieut Col Chichester
Deputy Commissary

"Copy"

Lieut Colonel Bird
Surveyor

Statement showing the Survey area and villages of Battalaghatta and Mahal Jin

Names of Inhabited villages	Occupied								Un	
	Coffee		Tea		Cardamom		Total		Coffee	
	acres	assessment	acres	assessment	acres	assessment	acres	assessment	acres	assessment
1	2	3	4	5	6	7	8	9	10	11	12
1	Battalaghatta	890	6,331	8	"	"	"	"	890	6,331	8	353	330	2
2	Mahal	66	32	933	12	"	"	"	66	32	933	12	19	13	39	2
2	Total	956	38	3320	4	"	"	"	956	38	3320	4	372	19	15	228

Valuation of Lands of the proposed Indian Chikmagalur Taluk of the Kadur District

occupied						½ of assessment of unoccupied land, col. 19	Kharab or uncultivable		Total		Remarks
Rice		Garden		Total							
area	assmt	area	assmt	area	assmt		Area	Valuation	area, cols. 17 and 21	Valuation cols. 11, 13 & 21	
13	14	15	16	17	18	19	20	21	22	23	24
"	"	"	"	353 1	1280 12	320 3	2844 14	16 "	4587 21	1691 11	
"	"	"	"	196 18	29 13	32 15	980 24	14 9	1836 36	1049 3	
"	"	"	"	549 19	1309 9	353 2	3824 38	30 9	6424 17	2740 14	

Supdt. Chikmagalur Taluk
Survey

(General Serial No. 32.)

189

26

[redacted] is the Communication referred.

8/10/90.

[redacted]

LA 45 Fo 91

No. 1057

Name of Petitioner. Seya Syed Sadiq Sahib S/o Syed Abdul Jaffer Sahib Dargah

Village.

Taluk. Chitradurga

District. Kadur

Date of Arst. 4.8.90

Date of Receipt. 8.8.90

Date of Disposal.

No. of Enclosures. Three.

Copy sent to Govt. & Land Reforms Dept.

ABSTRACT.

Report on the following petition addressed by Commissioner Mysore to Government in connection with the instructions contained in para 2 of G.O. No. [illegible] dated [illegible]

1. During the Survey the inam lands in the enjoyment of the Satya Jeevita Dargah were divided into 2 parts and measured. The map was also prepared showing the inam lands of Khazani Vali. The Deputy Commissioner, in accordance with the map, fixed the limits of the 2 parts belonging to the Dargah, while the Khazani enjoyment was restricted to some inam lands in Kalyadi village.

2. Petitioner's contention is

Indictment No 2, 1853 25th Dec
for Petit Larceny, referred to
Court of Sessions
2. Same year & date Prosecutor
recalled & by Court sworn & ex-
tensively examined as to matters
pertaining to his connexion
with Capt Bryant & Evans
in obtaining & disposing
between the Superior & Indict-
ment.
3. Capt Bryant by Court began
to enquire into the Prosecutor's
Character, & Mr. R. R.
Wise, after the Caption of the Case
proceeded in the Enquiry, but
with reference to Character
and after the period of 3 years
fixed in the Prosecution. Mr. Attorney
Gen. decided that the Character
in such Case, to be
Court had no authority either
to enquire into Character after
Mark & Land in the new Survey
Village belonging to Darge
& Sale dated 1st April certain
Land in the Township of
Brest in the Battery Point
Village, Part II.
5. Mr Bird had employed
the Marriages Friend in Coffee
Case, & by Mr. Bird's Consent
Counsel for Prosecutor
Mr Attorney for the Crown. The
Court will not allow counsel
to Evidence. Prisoner

all in support of its
[illegible] admissible for the
[illegible] requirement; —
[illegible] Dy: Commr states that
[illegible] have produced 2 or 3
[illegible] to substantiate its claim
to the Mahals, but they contain
neither the signature nor seal
of any officer, they are unknown
writing. They have no connection
with Kanats accounts.
(4). The original Sanad of
[illegible] granted to the Math is said
to be in the Inam Dept, but the
Dy: Commr did not send for
it to examine it as necessary.
If there be such a Sanad,
[illegible] inadmissible in evidence
[illegible] rejected the Math lands
in [illegible].
(5). The Dy: Commr states that
in the letter written to Captain [illegible]
by the Math the boundaries of
the Math lands are mentioned,
but there are no particulars in
the Dy: Co's Memo. On the strength of
this one letter the Dy: Commr has
set aside the Survey map of
the Inam lands of the Durga —
prepared after proper enquiry.
(6). The Dy: Commr has admitted
the claim of the Math without a
Sanad and in important grant
[illegible] to support them —

inspection the Durga [illegible]
6. The Dy: Commr attempts to
alter the Survey maps and to de-
prive the Durga of its land —
has disturbed its rights of
enjoyment in the following
reasons.
7. In spite of the Dy: [illegible] de-
[illegible] the amount of [illegible]
to [illegible] the Dy: Commr states
in his order that the Durga has
no right to the coffee lands &c.
[illegible] the name of [illegible] or
the Math has established its
claim to the same. Besides if
the Math had any right to carry
on cultivation within the limits
of the Durga inam and if the
Durga had refused to admit
it the matter should have been
settled in a Civil Court, and
the Dy: Commr should not have
interfered.
8. In para [illegible] of the Dy: Commr
Memo it is stated that the S[illegible]
S[illegible] has no objection to alter
the maps to suit any settlement
of the dispute [illegible] or
[illegible]. But the Dy: Commr [illegible]
[illegible] the S. Sup[illegible] [illegible]
[illegible] against the [illegible]
9. [illegible] the [illegible]
decision of the [illegible] in [illegible]
or [illegible] another officer ma[illegible]
appointed to settle the [illegible]
[illegible]

[illegible] in the Jagdgebiet.

1. The boundary dispute was settled about 3 or 4 years ago, and there has been no trouble till now. The following particulars are important: —

(2). That is now called Patentgrenzlinie was called Demarkationslinie in the Waldvertrag Nr. 3.31 and in the Annex Plan in the C. Convent it was called Abteilungslinie. This fact should be remembered.

The boundary extended from Gaingadde, and Caingzgadde, and being afterwards a new Survey line, & Patentgrenzlinie was it is called, is S. N.

3. Caingzgadde is a Indian name for Nahemenne in Kaingwarren.

4. This river is clearly shown in the Survey Plan of Mr. [illegible] Patentgrenzlinie. This river from that all the land is Patentville. It is kept in mind.

In accordance with the above the land No. 5 & 6 is on the Patent side & is included with it therefore as

needs by the Survey Surveyor. And Station. Seven Feature Land and Sometimes

(3). When the round of the Surveyor began from Gaingadde & Survey the S. Sept. instead of Gaingadde. That the other land, & the found into a separate village under the name of Patentgrenzlinie. The map prepared accordingly was accepted by the Patentee.

(4). The other land which is Patent as said the Surveyor named by Mr. Station & Station, & Station Patentgrenzlinie, and not Gaingadde.

Now in order to settle the land and in consequence of this Survey Report & Mr. Constructed the Patent & the land of Mr. Patentgrenzlinie. In this ground the Surveyor is justified in treating the land in Patentgrenzlinie, now for the Patentee in his order to receive by Patentgrenzlinie.

12. The [illegible] pronounced

MYSORE

1059

(26)

(General Serial No. 30).

1890.

27

From

To The Supt. Kew Survey.
D.C. Indian Dept

Dated 12
Despatched 15 August 1890.
Received

Enclosures No.

General No. 376 - 8 (1).
No. 74. 9

Receiving rules and specimen
to the perpetual settlement
the Crown granted to the Prin
Mississippi and the Saskatchewan
Indian Reserves and calling
Surveyor who is employed
for passing final rules

Issued the Same

2245-52-22

(27)

Read:—

Letter from the Superintendent of Revenue Survey dated 18th July 1890 No 225

—•—

Order thereon

On their Proceedings dated 18th August 1887 — No 4134 / 49 the Government directed that the Inams granted to the Biragne Matt and the Dattatreya Bababendan Darga should be confirmed to the Institutions as whole Inam villages, together with such waste lands, whether arable or unarable, as would make compact and convenient blocks. On deciding what waste lands should go into the Inam villages, the Survey

Uncultivable Lands.

This is a great deal more than the Boundary can be considered to be justly entitled to, and in justice, must not be, but the Chief ~~that the~~ Surveyor ~~must~~ ~~be~~ ~~instructed~~ to make a better arrangement with the Surveyor ~~must~~ not forget that ~~the~~ Government ~~are~~ ~~therefore~~ to accept the Boundaries proposed by the Surveyor ~~must~~ authorize to fix the Land Board as already directed.

Note

I cannot agree with the reasons suggested as I do not think the best protection would be given.

Chief Secretary

Lands & Res Survey
Land Board

Rec 12/8
Memo sent
12/8

	Dattatrapitta		Allabal		Total		Assessment, favour for the purposes Settlement.
	Acres	Assessment	Acres	Assessment	Acres	Assessment	
Occupied area							
As entered in Supt's Letter dated 22 July 1890 & in 190	2916	1,382	326·31	490	1217·37	1,872	
As now confirmed	890·6	1,332	661·32	989	1551·38	2,321	2321
Unoccupied waste							
As entered in 190	952·1	1,230	77·22	116	929·23	1,346	
As now confirmed	883·1	1,281	194·18	292	1047·19	1,573	393 (¼ assess)
Unarable or Karab.							
As entered in 190	2844·14	"	1960·3	4	4805·2	4	
As now confirmed	2844·14	46	980·24	17	3824·38	63	
Total { As per letter 190	4887·21	2612	2365·1	606	6952·22	3218	
Total { As now confirmed	4887·21	2659	1836·34	1298	6424·15	3957	2

From the above it will be seen the Superintendent confirmed as Inc 1047·19 acres of and 3824·38 acres Unar

was directed to take into consideration the general topographical features and the reasonable requirements of the Inamdars and of the cultivators concerned. With reference to these instructions, the Superintendent has incorporated certain waste lands with the neighbouring Government villages and constituted the rest into two villages. In communication with the Deputy Commissioner with the results shown below:

Survey No 47.

OFFICE OF THE DEWAN OF MYSORE
7094
21 OCT 90
136

1887

From

The

To

The

Dated
Despatched
Received

ENCLOSURES No.

No. of 1887

Subject

No. 1165 Divisional Office (22)
Bangalore, the 3rd October 1899

To,

The Chief Secretary to the
Government of Mysore
Sir,

With reference to proceedings of the Government of Mysore No. 1165-8 dated the 12th August 1899 forwarding on my letter No. 2225 of the 5th July 1899 (96) (97) the Deputy Commissioner's letter No. 1881-82 dated 1899 with the statement

1 Deputy Commissioner's letter No. 1881-82 dated 1899 with the statement.
2 Deputy Commissioner's letter No. 1881-82 dated 1899 with the statement.
3 Deputy Commissioner's letter No. 1881-82 dated 1899 with the statement.
4 Deputy Commissioner's letter No. 1881-82 dated 1899 with the statement.

the Amani Jamabandi Statement for margin which has since been received from the Deputy Commissioner of Kadur and my self on the subject of confirming the whole village, the Amani granted to the Bangalore Mutt and the Dattatreyapura Brahmadeya Agrs.

2) The chief Amani accompanied my

As soon as the Legislature passes the Bill and through an oversight omitted that the mistake shall have rectified in the amended Election Statement now submitted which is required to be sanctioned, to enable me to file the Return.

4 The result to citizens form a most convenient Boundary and in this view Election Districts Counties have been treated with liberality, as was the Union of Government.

I have the honor to be
Sir,
Your most obedient Servant
U S Grant
Lieut Colonel 21st Missouri

my letter of 22nd of the 5th instant are still with you and if the recommendations now made by the Deputy Commissioner, in which I concur, to restrict the grant in the case of the Dattatriyeti or Durga village (the Kadab or Betti lands being already greatly reduced, require no further restriction) by eliminating the survey numbers of that village noted in the margin for the purpose of the amended Valuation statement will be at once freshly submitted (marked A).

Nos.	Unarable assessed	Nos.	Unassessed fields waste area	Nos.	occupied
25 (part)	330. 1	194	24. 3	193	3. 15
185	343. 21	195	3. 12		
86 (part)	111. 0	213	2. 35		
198	29. 32	197	5. 15		
199	333. 16	201	3. 34		
		176	30. 35		
		177	38. 24		
		185	33. 37		
		192	50. 18		
Total	1148. 36		224. 1		3. 15

3 In the statement accompanying Deputy Commissioner's letter No.

Ap 327

Survey Office
Bangalore 20th August 1892

To

The Deputy Commissioner
Kadur District

Sir,

With reference to Government Proceedings No. 6 62-3 dated 12th Instant regarding the Petition of Nanjaiah, I shall feel obliged by your opinion generally on the points raised in the Proceedings, at your early convenience

2 I may state that in my own opinion the extent of grazing land in the localities concerned is so great that surrounding circumstances are not likely to affect the value of the land, and in that respect the extent of land can no doubt be in justice entirely disregarded but whether the fact whether whether

from

from the absence of adjoining interests, or other cause, these large tracts of unsalable land have practically been in the enjoyment of the boundaries.

I have &c

Jno J. R. Grant

Deputy Surveyor Genl

"Copy"

"Smith"

Deputy Surveyor Genl

No 44;

Surveyor's Office
Bangor Oct 2 1870

To,
The Deputy Commissioner
Eastern District

Sir,

In acknowledging the receipt of your letter of the 22d of the 27th instant I have the honor to enquire if there is any thing irregularly omitted from your proposal. I herewith return the Oath of Allegiance having no longer required in this Office.

I have &c
W. J. Grant
Surveyor Eastern District

"Copy"
W. J. Grant
Surveyor Eastern District

Appendix

A

Valuation of Lands of the Tarkwa Town-ship Mpohor Wassa District

Uncultivated						Total assessment of unoccupied land	Fixed or cultivable		Total		Remarks
Rice		Garden		Total							
Area	Assessment	Area	Assessment	Area	Assessment		Area	Valuation	Area cultivable	Valuation cultivable	
13	14	15	16	17	18	19	20	21	22	23	
1	"	"	"	"							
10	"	"	"	"							
"	"	"	"	"	423	19	1086	"	2m24	2810	2

Surveyor

Statement showing the Survey area and of Dattatriputta and Mahal in the Dist

Number	Name of surveyed village	Occupied									
		Coffee		Pepper		Cardamom		Total		Bagige	
		Area	Assessment	Area	Assessment	Area	Assessment	Area	Assessment	Area	Assessment
1	2	3	4	5	6	7	8	9	10	11	12
1	Dattatriputta	30	31	319	"	"	"	"	"	851	31
2	Mahal	66	33	933	12	"	"	"	"	66	33
2	Total	243	23	230	12	"	"	"	"	1543	23

No. 682.

Mysore

3/12/91

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

29

The accompanying Petition No. 1057.

dated 4th August '91 received at the

Dewan's Office from Lieut Gen Clarke

K. R. Pattiswamiah Dec

Chikmagalur Taluk,

3-3-91 3-4-91

L.R. 45-82-24

is forwarded, together with its three

enclosures, to the Deputy Comm.

Kadur District.

for such action as may be considered

proper in the circumstances.

To the Secretary

from the Petitioner.

Original copies

Commissioner's order

By Order,

for Chief Secretary.

BANGALORE, 26th

Nov 1890.

3rd Secr.

(General Serial No. [illegible])

189[illegible]

From

16.3.91

To

The Chief Secretary to the Govt of Mysore.

Dated 16 March

Despatched 30 March 91

Received

Enclosures No.

General No. 544
No.

Reporting on the petition of Syed Gaus Shahsiraaji of Dattoli Peta Chickmagalur Taluk.

[illegible]

1-4-91.

To be submitted to the Govt with the papers which are with the Chief Secretary.

7/4/91 AR

A3
3-4-91.

1891.

(54)

From

The Deputy Commissioner

Kadur district.

To

The Chief Secretary to

Government of Mysore

Bangalore.

Dated 18th March 1891.

Despatched

Received

No. 511 Enc: 3.

Sir

I have the honor to acknowledge receipt of your memo No 552 dated 4th instant forwarding a petition by Nagi Ghauda Kadi Kadur Taluk Bankapur for a Kuligi re-port with proceedings and a sketch.

The petitioner is the repre-sentative head of the Kadur-tupini Kuligi on the Bankapur

The petitioner was not dis-
-satisfied with this order, and
in reply to a petition to Govern-
-ment dated 3rd September
received an endorsement No.
2798 dated 27th December 87
in which the Chief, after hav
-ing heard the Petitioner in
person, informed him that he
had assigned no grounds for
any modification of order
already passed. ---

In the proceedings above
referred to, the Deputy Com-
-missioner was directed to
introduce the settlement as
soon as possible, and to retain
the lands in question under
his management for a period
in-

the effect that there is no evidence of how the lands claimed came into the possession of the Custodians and that as it was practically by encroachment the possession could be assumed the lands. That in consideration of the antiquity of the Custodians the lands would be continued under certain conditions.—

In the first part of the proceedings it is noted the Government is prepared to permit a decision of the Government which was arrived to a claim of certain lands as shown on the attached Diagram, but that the limitations do not contain any evidence of the extent of land in which the said entitle

Parliament this, and there is established on the same this a High Court of Justice which shall consist of Chief Justice and such puisne Judges not exceeding three, chiefly Coffee. —

On these claims the Superintendent of Revenue, Surveyor reports to Government in his Rs. 11 Letter 7th which and the under-mentioned proposed in Proceedings No. 910-11 dated 23rd April 1874. These Proceedings are to be

in order to ensure the complete introduction of the settlement and the final adjustment of the various petty disputes between the Europeans and Arabians. —

In pursuance my duty to carry out these orders. And finding that there were important claims to land as there, on the part of both the Arabs and the Europeans, still unsettled, I made the enquiries, the result of which I embodied in my memorandum dated 31 st December 1335; and it is against this decision that the petitioner now appeals. There is, but one main issue

It is not appears to me that the petitioner having no evidence to rest his case on a determined adoption by Government of the terms laid down in the respective Deeds.—

As regards the evidence in this Special case, and that offered by the Bank with respect to Mahal I had to examine what came before me rejecting what I was doubtful and accepting what I was probably true.—

The reasons for and against are duly recorded in my Memorandum.—

As drafted & Navigation—
Clerk Supplied &
—for Respondents
Plaintiff

Law

Copies by

evidence dated 25th December 1969 declining to modify it, in support of his present contention.

This contention was raised at the beginning and is fully noticed in paras 8, 9, 10 and 11, and again in paras 32 and 33 of my memorandum.

The petitioner was represented by an intelligent local pleader and Counsel did not dispute it was fully explained that the Tenancy Amendment Act 1969 was enacted to bring about a speedy settlement of disputes between parties, and every facility was given for the production of documentary or oral evidence in support of the petitioner's claim

of appeal, and it is that the Deputy Commissioner has no authority to make the engineering he did, and the Government order of 23rd April finally determined the boundaries of the two districts according to the survey map; and that the Deputy Commissioner should have confined himself to the adjustment of petty disputes between Indian and Indian traders.—

The petitioner who has objected to the above grant Government order, requires upon it, and produces a copy of the document on

37/61

Recd yr correspondence with the
settlement yr claims yr Cattle bill
charge to be effected lands situate
on the Saskatchewan River. ——

———

I am requested to inform
Proceedings No. 4-4 dated 27th
April 1878, decided the nature
and extent of claims to which
the charge was entitled and
laid down certain conditions
under which the Half breeds
should be required to prove
their claims. They further authorize
the Deputy Commissioner
to retain the lands in question
under Government manage-
ment for 2 or 3 years to

(This correspondence ending with Survey Instruction No. 69 dated 22 May 1909)

4. All the material the settlement was preceded with, and the result related for the approval of the Survey Superintendent, together with details statement showing the extent and agreement fixed on the official sanctioned to belong to the Kanga, as also an explanatory memorandum disposing of the claims of the Kanga for certain lands (Vide this Office No. 295 dated 15th May 1909)

5. All papers having been

holders' lien (the earliest one ending with Henry Lytle-tenderd in 663 date 5 th December 1885, intimating that the survey has been completed.)

3. Before commencing the settlement of the land accounts, notices were duly given to the parties concerned and the evidence, oral & documentary, offered in support of the disputed claims was duly considered. In all as the enquiry proceeded, the instructions of the Land Superintendent were from time to time obtained & carefully carried out

(Vide

ensure the complete ascertain-
-ment of the settlement, and
the final adjustment of the
various petty disputes bet-
-ween the Superior and In-
-ferior Holders.——

2. Whereupon the Survey-
-or commissioner put himself
in communication with the
Survey Superintendent and
the recovery of Lands belong
-ing to the Raiyat was after
having ascertained the service
of the Survey officials as
the Lands recovered and
demarcated according to
the actual enjoyment of the
Holders

been founded in Government by the Survey Exhibition Proceedings No. 1203-4 dated 6th 49 signed 1949 were received laying down a few general principles for the settlement of the Evacuee Interest. In these Proceedings it was pointed out that in dealing with Evacuee Holdings, topographical features, and the reasonable requirements of the Institution and of the Communities concerned should be considered, along with the claims of cultivators of

to the conditions can not be considered entitled as of right to retain the grant to the reasonable requirements of the conditions concerned.

3. The existing conditions having been consulted on the point raised in the above proceedings this station has been furnished to Surveyor-General (Via the Office) on 1st Sept 1890

Here the correspondence stops as far the office is concerned.

Chittagong.
24th March 1891

Nagendra Nath Chaudhuri
Asst Settlement Officer
Chittagong District

Copied by [illegible]

occupied lands.—

6. The Survey Superintendent thereupon having obtained necessary information from this office (No: 1193 dated 2nd October 1879) submitted his report dated 15th July 1880 to Government, in reply to the proceedings quoted above.

7. The Government thereupon issued another proceedings No: $\frac{5.62-8}{74}$ dated 15th August 1880 setting aside the extent of waste and uncultivable land to be assigned with each chak to

(General Serial No. 30.)

OFFICE OF THE
8383
7 DEC. 91
P. 32
DEWAN OF TRAVANCORE

189/.

From The Dy. Commissioner, Kottayam

(36)

To The Chief Secretary to the Govt. of Travancore.

L.R. 44/92-91

Dated 2?

Despatched 3rd December/91.

Received

Enclosures No. Engineering Estimate

General No. 456
No.

Reporting the result of the further enquiry made in connection with the Kaipuzha section of the Kanjirapalli Road.

Submitted

a1
5/12/91

Submitted to the Council

9/12/91 R.

B2
7-12-91

No 250

Kasai District,

Dr. Campaign Office,

Date Castanza 2 December 1891.

(36)

To The Chief Secretary,

to the Congo Government.

Sir,

In continuation of my letter No 251 dated 2/12/91 I beg to forward herewith the accompanying Financial Statement, together with an Explicit Account of the matter of a letter from Chief Kalamba Mukenge received on 2 of April 1888.

I also enclose another letter received on 30th September 1891 on the same subject.

I anticipate the enquiry with a view to find out if there have any Ivory been obtained. But I find that the

Sir,
Pls keep with
No 456 of 2/12/91
from Dr. Campaign

For these reasons there seem to be no other alternative to the Osage people than to satisfy their claims, if any, in a civil court.

I have the honor to be,
Sir,
Your most obed't servt,

H H Ludlow
Supt.

Hon. D. N. Cooper,
Comm'r Ind. Affs.

points are the same as those urged and settled before.

The documents (attached to the Vernacular records) produced and the men examined do not in any way support the claim of the Darga.

The Sagvalidars who have been cultivating the Lands for years past have stated that they were giving "Pancha Vandiye" to the 'Biragi Mutt' and not to the 'Darga'.

In the Shrotpakami the names of Sagvalidars and the Biragi Mutt have been en:tered which shew that the Biragi Mutt people, and not the 'Darga' have been in the enjoyment of the Lands in dispute for years past.

Vide para [illegible] of [illegible] Comm[illegible] (Col. Cammiade[illegible]) [illegible] 13th December 1888 attached to [illegible] showing [illegible] [illegible] which [illegible] has been [illegible] the Lands belong to the Biragi Mutt

5951
23-5-92

37

39

L.R. 45-8-93

To

The Superintendent
Nizam's Rly. Survey
Bangalore

No 2841 dt 10/12/1893
P.F. 27-93.

Sir

I have the honour to request that copies of the maps noted in the margin may be furnished to this office as early as convenient, at the rate of Rs 4-5 per sheet, if ready for issue from stock.

Yours obedt servt

By order

Asst Secy

Rcd Rly Dy 15/8 dt 2/5/93 from the Supt

1. Dpatchpkt No I
2 do do I.

3. The books prepared & the Corpn'd & the Dayas as per Appendix H & Survey Rpts Letters &c. &c. under the name of Dattatrejit

4 do do do & the Bridge Mutt under the name of Mutha C.

Pete
Rev. Branch
No 2035

No. 47.

1893.

From The Supt Chitaldroog Rev. Survey

To The Chief Secretary to the Revenue Survey, Dewan of Mysore.

Dated Bangalore
Despatched 2nd September 1893
Received.

Enclosures No. 5 Maps

General No. 159 } 1893.
No.

LR 45-82-39

39

Chief Secretary's Docket
No. 2341 of the 10th Instant
R.J. 29-93

Has the honor to forward the accompanying copies of the marginally noted village maps requested, and to state that the proposed transfers of land to Nidagal and Kalgani are shown in different colors.

1 Dattatrikita 2 sheets
2 Kalgani — 2 sheets
3 Nidagal — 1 — "

Supt Chitaldroog Rev Sur

Dupl

To

The Superintendent
Inspire Revenue
Survey
Bangalore

LR 45-82-81

Dated 10-7-93.

40

Despd.
No. 4675
P.S. 27-93
Encls: 5 maps.

This Docket No. 159 dated 2nd Instt: forwarding the maps of Dattatripet, Kolgani and Malal.

With reference to the above has the honour to request that the portion proposed to be Eliminated from Dattatripet Part I (Vide para 2 of his letter No. 495, dated

16th

15th October 1890) and
the portion proposed
to be confirmed to the
Durga, may be —
marked in the plan
(herewith returned),
and that the names
of the Villages to which
the Lands mapped
into Dattatripeti
Part II had been
attached before
they were so mapped,
may be intimated

By Order
Chief Secy.

No. 47,

1893. 4197

From The Superintendent Revenue Survey Mysore

To The Chief Secretary to Govt

The Revenue Survey,
Dewan of Mysore.

Dated Channapatna
2nd September 93

Despatched

Received

Enclosures No. 1 this case containing maps

General No. 203
No. } 1893.

Chief Secretary's Docket
No 4075
P 27-93

I do not think we can
[illegible] any reply received
with the above duly
marked in red showing
the portion proposed to be
eliminated from Dattatri
Peak Estate together
with

L R 45-52-33

Channapatna?

with copy of Memo Dogs
of the 20th Inst from the
J. L. Clarkson Asst Supt
Calgary Reserve Survey for in
formation.

H. Swift
Supt Calgary Res.
Survey

No. 95

Bangalore 20th September 1893

The undersigned begs to return the File of correspondence and maps to the Superintendent, and to state that the portion proposed to be eliminated from Dattapit part I has been colored red. In subdividing Survey Nos. 184 and 259 due attention was paid to the areas entered in the Deputy Commrs statements but it was not found possible to hit upon the exact areas therein stated.

The result of the subdivision is as follows. —

	Area to be retained by Darga		Area to be resumed by Govt
Survey No. 184	398.21	—	107.14
— " — 259	99.7	—	253.13
	497.28		360.27

2. The whole of Dattapit part II formerly pertained to Inchalvatti

"Copy"
Assistant Superintendent Rev. Survey

(Signed) J. F. Fleet
Assistant Supt.

42

To

The Deputy Commissioner

Kadiri District

26-1-94

26.

2A 45-82-33

No. 12116
Pet: 1171

General

Sir,

I am directed to request that the entire records connected with the settlement of the coffee lands of the Bilaturu Anupanna Sirsappa Mutt, including the Settlement Account, may be forwarded to this office at an early date, together with the office copies of the Statement agreed to in the enclosed draft of letter No. 308 dated 1st June 1892 addressed by the Government to the Mutt Swami.

I have the honour
to be
Sir,
Your most obedient
servant
[illegible]
for Secretary

(General Serial No. 30.)

1894. 12432

FEB. 91

R 2385

From

The Deputy Commissioner

Kadur District

To

The Chief Secretary to the Dewan
of Mysore.

Dated 10th February, 1894

Despatched 10th

Received

Enclosures No. 1 and (file sent separately)

General No. 416
No. 1893-94

Submitting such of the papers as are available in this office connected with the settlement of Coffee lands of the Baba Budan Durga and Bisagni Mutt.

Rev 12/2/94

Transferred to the Political Department

Rs 14/2 DH

R R H 5-82-34

Deputy Commissioner's Office

Kadur District

No 410 Dated Chikmagalur 10th February 1904.

(43)

From

The Deputy Commissioner

Kadur District

To

The Chief Secretary to the

Government of Mysore.

Sir,

With reference to your circular No 12-16 dated 20th January 1904, calling for the entire records connected with the Settlement of Coffee Lands of the Baba Budan Durga and Kirangi Hatti &c, I have the honor to submit, as per enclosed parcel, such of the papers as are available in the records of this office.

I beg to add that some of the papers were submitted with this office No 454 dated 2nd December 1901 (Paper No 15 in the enclosed parcel.)

The Honorable Lord Lamington

Patricke &c, which had been sent to the District Judge's Court, Nagar Division, for Reference in a Civil Suit, have been called for and will, if so directed be submitted on receipt of the same in this office.

The Statements referred to in the margin of letter C/No 298 of the 18th March 1889 (Margin C/No 29) in the enclosed Parcel) are not forthcoming in this office.

The Superintendent of Revenue Survey has been requested to send them, and on their receipt they will be submitted.

I have the honor to be

Sir

Your most obedient Servant

K Ramanathan

for Deputy Commissioner

Kadur District

Asst.

Rev 27/2/94

Transferred to Rev. Dept.

Revenue
2-3 94

The reference was furnished with this 9:416 of 10-2-94 from the Resident.

Mr. 1/3.

LR 45-82-35

(General Serial No. 30.)

13179.
189 27 FEB. 94
R2564
Pet 601

From

The Deputy Commissioner
Kadur District

To

The Chief Secretary to the Dewan
of Mysore.

Dated 25th

Despatched 26 February, 94.

Received

Enclosures No. nil

General No. 445 } 1893-94.
No.

Adverting to para-4 of this office letter No. 12432/16 — dated 5th Feby/94 submitting the settlement accounts &c of the Pathatri-Ed and Bisagni Inam, for the favor to state that the Superintendent of Revenue Survey who was requested in — this —

25/2

this office No. 357 dated
10th Instant, for to ——
forward to this office
Copies of the Statement
in question, informs
that the said Statement
were submitted to the
Revenue office with
their No. 1/3 of the 5th July
1939 and which may
be kindly referred to.

A.H. Sparks
Deputy Commissioner
Kaduna District.

Mrs

(General Serial No. 30.)

1894. 3895

From

The Deputy Commissioner
Kadur District

To

The Chief Secretary to the Dewan
of Mysore.

Dated 15th September 1894

Despatched 19th

Received

Enclosures No. 1 file of papers

General No. 166 } 1894-95
No.

Forwarding for orders, applications for lands within the Kattiraya Reel Village for coffee cultivation, received from individuals.

Deputy Commissioner's Office

Kadur District

Dated, Chikmagalur 5th September 94

From

The Deputy Commissioner

Kadur District

To

The Chief Secretary to

the Government of Mysore.

Sir,

In continuation of this office

Nos 446 and 445 dated 6th and 23rd

February 1894 respectively forwarding

entire records connected with the settle-

-ment of Coffee Lands of Balaba-

-den Durga and Bisgne Gudde,

I have the honor to forward here-

-with the applications for lands within

the Kattinaya Keel village for Coffee

cultivation, received from individuals

for orders.

2. In 1890 this village was settled

settled, and under orders of the Govern-
-ment contained in its Proceedings No.
710-1-7 dated 28th April 1884 para 9.
the management of this Village was
taken over by the Deputy Commissioner
and has been continued. Bad Jochna —
-bhai, Khan Bahadur of the Bara-
-kudem takes objection to the Deputy
Commissioner continuing own management
of this Village on the ground that the
period of 2 or 3 years named in the
last para of the Proceedings above
referred to has long expired and is
unwarranted. It was never limited not
to him to one of his protests that as the
question of the extension of the boundary
claimed by the said gentleman was
pending orders before the Government
the Deputy Commissioner was obliged
to retain the management.

3. I beg to submit that instances have come to notice in which the said Joshya Khadri has taken cognizance of entertaining applications for lands and granting them, and when applications are directly made to the Amildar of the Sattire Taluk, he has been arguing the claims of the Scott in preference to other applications. Such action will tend to confusion and impair the confidence in the actions of the Government officials, early orders are solicited in the matter.

I have the honor to be

Sir,

Your most obedient, servant

H H Scott

Deputy Commissioner

Kadur District

D.O. 111

48

Lands-62-37

To

The Deputy Commissioner
Kadur District

Dy 1-12-14

No 9010
Pol. 27-95

His letter No 100 dated 15th September 1914 requesting the early orders regarding the extent & limits of the Grant granted to the Kalakadara Durga.

In reply I am to state that the matter will be personally investigated by the Dewan and decided when he visits the Kadur District in February or March next, and that till then the question of transferring the management of the Durga to the Kalakadara Gaud holds in abeyance.

By order
Chief Secretary

25/1/14

Dy 30/1/12

Chief Secretary

Submitted

The Accounts Clerk
has discussed this
matter with the Revenue
Officers of the Kadur District
and he will be able to
be supplied with the returns
in March 1895.

[illegible]

[illegible]

Copies issued
to [illegible]

~~By Commissioner~~

To G.C. No. 223 dated 24-2-95

123

12821

Gen. Serial No. 31.]

1895

2525

(51)

From

The Deputy Commissioner
Kadur District

To Chief

The Secretary to the Government
~~Dewan~~ of Mysore.

Dated 28th March

Despatched 29th

Received

Enclosures—No.

General No. 562 } 1894-95
No.

Stating with reference to Government Proceedings No. 9010 F.J.279 dated 15th December 1894 regarding the extent and limits of the Bahadurdurga, that further applications have been received for lands comprised within the limits, and soliciting instructions as to their disposal &c.

Put
1-4-95

Deputy Commissioner's Office
Kadur District

Chikmagalur 25th March 1893

From

The Deputy Commissioner
Kadur District

To

The Chief Secretary to the
Government of Mysore

Sir

Adverting to your docket No. P.T. 27-93 dated 1st December 1892, regarding the extent and limits of Reddiarudurga, I have the honor to state that further applications have been received for lands comprised within the limits in question and to solicit instructions as to the disposal of these applications, as much referred to in the docket under reply, time for the investigation of the matter has already nearly passed.

I have the honor to be

Sir

Your most obedient servant

Deputy Commissioner
Kadur District

2 Drafts

Urgent (5 B)

LQ.HS-82-39

To

The Supdt, Mysore
Rev: Survey.

No: 1735 d 13-8-97
~~Pet 2464~~
F. 7. 27-93

Has the honour to request that the entire records, relating to the Settlement of the boundaries of the marginally noted villages in the Chik-magalur Taluk may be forwarded to this office before this evening, as they are urgently required for reference in connection with Appeal Petn No 1059 of 1890-91, to be heard ~~before~~ to-morrow Morning.

By Order

Draft-

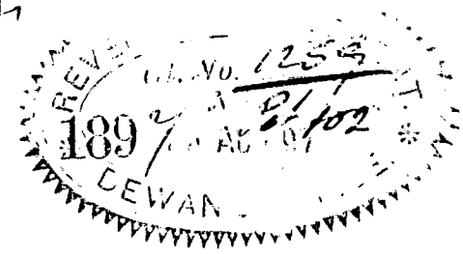
C.J.S.

For Secretary

L.V. 13/8/97

× 1. Dattabripil Part I
2. do Part II
3. Kolagavi Part I
4. do Part II
5. Mahal.

(57)



From

The Superintendent of
Inam Settlements in Mysore,
Bangalore.

To

The Secretary to the
Government of Mysore.

General and Revenue Department

Dated 13th
Despatched 13th } August
Received

No. 13 of 1897-98

Enclosure No. (3)

In reply to the Order
No 1745 dated 5th July last, I have
the honor to forward herewith the
Inam Petitions and Inam Claims
and Registers relating to the
investigation of the Claims
belonging to Chandrasekhara
Bandekudlur Peda Heggade to the
Bijapur Inam Commission the
Chikkamagalur Taluk,
and to request that they
may be returned when no
longer required.

Superintendent Inam Settlements

2 Docket

189 (57)

From

The Secretary to the
Government of Mysore.

To

The Deputy Commr
Kadur District.

Papers - 52 - 94

Dated 19th August 97

Despatched

Received

General No. 1926
C.F. No. 27-93

Enclosure No. records.

5 files
+ duly checked
V.R.
20/8/97.

Correspondence ending with his docket A=310 dated 28th October 1895 in the matter of the lands claimed as Inam by the Dattatrei pitt Bababudan Dargah and the Bisagni Matt in the Chik-magalur Taluk.

— x —

With reference to the above has the honour to request that the Deputy Commr will be so good as to identify the lands referred to in the documents filed in 1895 befo

the Amildar of Shikarpur
on behalf of both the
Dargah and the Math, and to
specify their Survey numbers
as now measured.

2. In his letter No 69 dated
2nd May 1888 to the Deputy Commr,
the Survey Supdt suggested that,
unless there was an enquiry
number by number, the exact
extent of enjoyment could
not be ascertained. The Deputy
Commr is requested to report
whether such an enquiry was
made, and if not, how the
actual enjoyment was ascertained.

3. The Deputy Commr is further
requested to forward to this
office Ismail's petition (dated 21st April 1888) and statement
referred to in Col. Campbell's
Memo No 8 31. 12. 88, paras
25-6-27.

A petition and statement
sent to Major-Currie in
1876 (referred to in paras 8
& 34 of Col Campbell's memo)

4. The entire records received
with

with his Nos. 454, and 456 ~~and~~
~~dated~~ dated 2nd December 1891,
and No 416 dated 10th February
1894 are returned for reference
and, resubmission ~~together~~
with the records returned
with this office No $\frac{12293}{\text{Ser. } 1123}$ dated
12th February 1895.

By Order,

Draft-

For Secretary

C2,3.

S.V.
18/8/97

2 in 1

189 (by) 58

From

The Secretary to the
Government of Mysore.

LR 45-8-43

To The Superintendent
Mysore Revenue Survey

Dated 19th

Despatched 2nd Aug 57

Received

General No. 1922

P.Z. No. 27-93

(238)

Enclosure No. Record.

Correspondence ending with
his docket No 1223 dated 22nd
September 1893, Sayer in the matter
of the Inams claimed by the
Dattatreya Baba Budan
Dargah and the Baragani Math
in the Chikmagalur Taluk.

— h —

With reference to the above
has the honour to request that
the Survey Supdt. will be good
enough to furnish to Govt. as early as practicable
following information which
is necessary for arriving at-

a decision in the matter:—

(1) What does the area of "Battalipat" (2573-9-7) shown in the Survey Superintendent's letter to the Secretary, No 11 & 7th April 84 denote, & and how was it obtained? Does it comprise the whole area included in the maps, land, and parts of Battalipat?

(2) How was the disputed enjoyment of the Dargah ascertained? Was any evidence taken or any local investigation made? If so, all the evidence and the records of such enquiry should be sent up.

(3) When the disputed enjoyment of the Dargah was thus defined and separately marked were any Kabuliyats taken from the neighbouring villagers taken and recorded? If so, the original Kabuliyats and the records of enquiry must—

must be sent up.

(4) A petition is said to have been sent to Major Cowie in 1876, in which the limits of the Bisagni Matt have been specified and described. (Vide paras 33 and 38 of Col. Campbell's Memo of 31.12.88) This petition, if forthcoming must be submitted. The tract ~~Case~~ therein specified must be described with reference to the present survey numbers.

(5) In Col. Porter's order of the 27th August 1860 copy of which is now filed by the Makandar and is ~~Exs~~ marked (A), some boundaries of the land under enjoyment of the Darga are given. The Survey Superintendent is requested to forward the original papers connected with this order, and to report

after identifying the boundaries
mentioned therein, as to which
of the lands now granted
in them will be included
within the said boundaries.
If possible a sketch recording
to these boundaries will be
made and recorded, mark-
ing the names, numbers of
the lands therein.

(b) In the copy of the petition
dated 14th June 1960 addressed
by to the Chief of Rajapur Dn.
in Nalli Sagore Narayappa,
Talukdar of the Binagi
Pratt — now produced and
marked (B) — certain boundaries
of the Inam of that Pratt
are given. The Chief is requested
to deal with these boundaries
as stated in the
preceding clause. [illegible]

2) The file of correspondence received
with this docket — No 146 of 13. 8. 97, together
with the papers marked (a) & (b) referred to
above are sent for reference and return herewith.

By order

Draft [illegible]

-59 (61)

REVENUE 1897 GEN. 2307 SEP Pet 82

From The Deputy Commissioner Kheri

To The Secretary to Govt General and Revenue Deptt

Petition re 25/5/97 submitted BK 29-9-97 Awaiting Report- withdrawn 2/10/97 82-48 L.R. 45-0

Dated 23rd

Despatched 24th September

Received

General No. 25-4
No.

Enclosure No.

G.O. No. 1921 dated 19th Ultimo and Reminder No. 3586 dated 20th instant, P.P. 27-93 calling for further information in the matter of land claimed as Inam by Babu Indar Dargi and Bicagri-matti, in Chirmagaon Taluk

---

With reference to certain points on which information is called for in the above in connection with the long standing dispute between the Pattabijit Babu Indar Dargi and the Bicagri Matti regarding their Inam lands in the Chirmagaon Taluk, the undersigned has the honor to state that he has called for a detailed report from

(8)

Auditor of the Estate after instituting the usual local enquiry as to the identity of certain of the lands comprised in the disputed tract and specification of their survey numbers.

2. The enquiry, it may be added, necessitated the attendance on the spot of the parties interested in the lands (alluded to in para 1 of the above quoted G.O. 3.) before the enquiring Estate Officer and involved some delay, as the production of the 2 petitions and transmission thereof to Government has also been asked for in para 2 of the G.O. under reference.

3 The undersigned will not therefore be able to furnish the required information until after receipt of the Auditor's detailed report which is awaited.

Deputy Commissioner
Malabar Dist.

(69)

REVENUE DEPARTMENT
GL No. 2382
No. Pet 485
29 SEP 97
DEWAN'S OFFICE

189

From The Assistant Resident Kandy

To The Secretary to Government Genl. & Rev. Departments.

Dated 24th

Despatched 28th September

Received

General No. 2585 / 1897-98.
No.

Enclosure No.

In continuation of this office letter No. 254 dated 23rd instant, reporting with reference to G.C. No. 1421 / Pet. 27-93 dated 9th August 1897 in the matter of the land claimed as Inam by the Dattarijia Balalankara Devale and the Bisdagama Watte in the Chittagalla Pattu, has the honor to state that it has since been reported by the Chief Kinnegodde Arachchi that the local inspection

Petition 27.8.97

Submitted
BK
7-10-97

A similar Request in connection with the Collector's Case = Await the report

M 10/10/97

Land 82-44

Cannot be satisfactorily carried out at this rainy season, that several jungle lands are to be entered in all sides to find out the boundaries mentioned in the several documents, which would require a full week in fair weather, and solicits permission to make the investigation at the beginning of November.

2. In the circumstances stated, the undersigned has given time till November. A further report will be submitted when the inspection is completed and the matter reported on.

Dy Commissioner
Kadur District

Amt.

(65)

Gen. Serial No. 30.]

1897

From

The Chief Secretary to the Govt
Dewan of Mysore.

To

The Chief Secretary to the Govt
Dewan of Mysore.

Dated 5th November 1897

Despatched

Received

Enclosures No. 1 & 1 bdle

General No. 312
No.

In reply to (Govt no 60) Despatch from Govt dated 29/10/97 Secret

SUBJECT.

Reporting on the matter of the Inams claimed by the Dattatreyas Bahadur Durga and Putte Bisgamillatt Chikmagalur Taluk

References—(to be entered only in the Dewan's Office).

P Ashin M
9-11-97

Of 27/9/98 relating to the Subject

Submitted
P.M.

11/11/97

Shall I remind the Govt & send back the papers

M 16/11/97

Y
No enclosed
Sec 17/11/97

Reminder sent
23/11/97

Send this when the Govt's report is received: Shall I enquire

M 5/1/98

Replied
Sec
9/1/98

LAHS-82-45

Sp 313

Survey Subcontinent Offi
Bangalore 5th November
1897

To

The Secretary to the
Government of Mysore
Agri and Revenue Depa

Sir

I have the honor to acknow=
=ledge receipt of your Docket No.
1922 dated 9th August 1897
P.T. 29-98
asking for certain information
necessary in order to arrive at
a decision in the matter of
the Inam claimed by the
Gattatripathi Brahmins ...
Durga and the Bhagavathi
in the Chikmagalur Taluk.

2. The desired and enquiry
restricted, in order to answer the
various queries in your Docket
under reply, I have taken con=
=siderable time but I now

respe

reply to letter of the 21st instant

The 2nd & 3rd queries
given in my letter of the 14th instant
the Office Land of Natal
Register, as furnished by
the Deputy Commissioner
in his Despatch of the 14th of
the 4th February 1893.

* Book Register letter says "various Surveys" (Sheet 7)

This does not comprise the whole area of Zoutpan and A of Natal
Register which contain also land entered in this
Office. Engagement
Book Letter and more re-
liable information is
before Government.

2. There is a Memorandum
in the File of Conventions
with the Chiefs of Umzimkulu in which
Boundaries are stated, the
Amildoes

sent to him. I am not sanguine of the result being of much moment towards a settlement of this intricate case.

3 The enclosure referred to in my letter of the 22nd of July 1850 are still with Government I would ask for their return in order that I may submit fresh proposals as subsequently Government considers, and I think with reason, that the area proposed to be given over to the two Institutions concerned might be considerably curtailed. G. G. No 26.

I have the honor to be
Sir
Your most obedt Servant
J. P. Grant
Lieut Colonel Resident
Sandwich

enquiry made by the Revenue authorities.

X Not Scale 1 inch = 1 chain

3 X Registered certificate of original Abandonment but not at any subsequent proceedings.

4 Early the Andersons Petition to Magistrates is forthcoming? Attach copy.

5 X, 6 The boundaries mentioned in papers A and B could not possibly be identified, or given their position in the Survey maps, without a fresh Survey for the purpose. I have handed over these papers to the Deputy Commissioner visiting them with the aid of the District Surveyor to show if possible the approximate position of these boundaries on the village maps which I have sent

Amildari claims of 20 Yds
of 21st March 1883 and
Deputy Commissioners
note. The Deputy Commr
in his letter of 29th of 1883
to the address of the
Survey Superintendent,
forwarded "detailed state-
ments showing the extent
and assessment fixed on
the Buttaibit Duyd
and Bindyni claims.
Income & Expenditure Accts, to-
gether with a copy of
Colonel Sandeman's claims
disposing after careful
enquiry of the claims
set up by the Buttaibit
Duyd for the Shahd
and Chandiwanda
lands". It may therefore
be accepted that the pro-
-posals made by me in
my letter of 29-3-16-10-90
are based upon careful
enquiry

(೫೬) [illegible]

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
೧	೨	೩	೪	೫	೬	೭	೮
.	೪೮	-	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
							"Copy" [signature] Supdt. Mysore Rev. Survey

(67)

1898

5681
Pet 418

From.
The Chief Commissioner
Andaman Islands

To
The Secretary to Govt
General and Revenue Depts

Dated 24th January 98
Despatched 5th February 98.
Received Camp Viper.
General No. 524
No.

Enclosure No. Files of Records

Furnishing additional information in re-lands claimed as dumby the Portuguese Baliaudeer Dungar and Binajiwadi in the Chowrjaar Taluk.

Send for the original Cases/Records from the Judges Supt!

Translate the exhibits (6) in number

Attended to
CSR
21/7/98.

LA 45-82-46

Rec 9/2
07 2793 related upto the subject to present up
AK
11/2/98

Subd
11/2/98 MG

Camp Madras —
Dated 24th January 97.

From

The Deputy Commissioner —
Madras District.

To

The Secretary to Government
General and Revenue Department.

Sir,

In reply to Government Endrs,
No. 1221 dated 24th August 1897, call-
-ing for additional information
in re the lands claimed as Inam
by the Brahmin Pothi Bahaudan
Baiga and the Bidagi Mark on
the Bidarahalu Tank, I have the
honor to submit as follows —

2. With regard to the identifica-
Revd. & Govt. Rec. } -tion of certain lands referred
to in the documents filed in
1891 by the agent of the Bidagi Mark
and the Baiga before the Collector of
Bellary, the accompanying Plate
ment, marked I, is prepared to show,
for purposes of identification, the pro-
-perties

para pertes inscribed in the said
Accounts, Appellant with the Survey
(Nov and the extent, as now measured
and claimed by the Bivagni Mark, ap-
pertaining to the Mark - (vide Exhibits
A & D, attached from the file of the
Vernacular Proceedings) - and Exhi-
- bit (No II, Sixteen pleadings of the
Accounts 12 and 13, describing the Ap-
- pellee, Caused by the Dattari Pepi
Danga.

3. As to the ensuing number by
para 2 of } number into the exact extent
Post Order }
of enjoyment, which was suggested by the
Survey Superintendent in para 6 of his
No 69 of 2nd May 1838, I am to state
that, beyond the Revenue (final) settlement
& the disputed Reserve the 2 Boundaries
made by Col Cumberlege, the then Deputy
Commissioner, as recorded in his Memo
of the 31st December 1838, nothing ap-
- pears from the records to have since
transpired by way of further settle-
- ment. In that estimate then, Col Cumberlege

has

Brenchinagimäi Kuaet. She Kuaet, i/r would appear, had, then brought into question in connection with the dispute, settled at Sattara in a Claim brought forward by a Mr. B. A. Barrèt, in the Land in that Kuaet. 5. I beg to forward for information and favor of perusal the enclosed correspondence, English and Canarese, which will be papers now received from the Amildar, bearing on the subject, as per marked Serial No.

I have the honor to be

Sir,

Your most obedient servant

Deputy Commissioner

Akalkot District

has fully upheld the claim of the Staff
to the land in dispute, forfeiting the
Deposit money, and the subject was
fully explained to the Deputation present
in the Office, A.D. 1887 December 15th, which fix
upon conditions agreed by the Deputa-
tion, and to the Settlement of December
1888.

4. The original petition dated 6th March
1876, forwarded to Major Davie,
Assistant Superintendent of Rev-
enue, by Portia Jones, Manager
of the Bleasdale Staff Farm, is herewith
forwarded, as called for.

But the Samuel's first petition of
21st April 1888, and the Statement made
by him (Exhibit A to Para 3 of pet-
ition under reference) is not to be
found in the records of the District
Office. It is however presumed that
Chittagong Samuel that Samuel
has stated that the petition in dispute
was left in charge for Custody to the Head-
-less of Police to the value of a Cop-
-per plate of Land situated in the

Bleasdale Staff

× See Letter No. 12 in file (9).

			7 Bolchitola and Ayanakere Kithi					
			8. Doopada Kithi					
			9 Dasina Thota					
			10 Gandi Thota, Chinna-mallapana Thota. Kalasa Kithi and Hanehithi (3 Jaks)					
			11. Halehole Kan.					
			12. Galikere Thota		1755	16	4	
4	D.	Document dated 1st December 87 executed by Chadrama wife of Ranglaiah	1. Chinnadagandi Thota. 2. Kurchinabagal Thota 3 Bolchitola-kana Thota adjoining Tamping Field of Chikkala Dibba.		Patta No 176 R.S. No 346			

Chikmagalur
D. 24th January 98

... in Accounts A to D [illegible] ... Book ...

... Lines: Dots ... in the Book ...		Remarks & Note of the Book ...
Whether ... or waste	Name of Person ...	
Do	Painted ... Sale.	This number is called Stable ... The Space of the ... course for Bathchole by ... Channel Hotel ...
Do	Part of the Stables of Painted ...	This is called Mr Lawrence's Yard ...
		The foregoing No 2 to ... included in the Sale ... notes of ... the several ...
Do	Thomas Lawrence.	Messrs Lawrence's Yard.
		These foregoing ... the several ...
Do	Parker's Sale	This is called Dover Channel ...
		The following ...

Statement of the properties referred to and described in the Writ issued 17th day of March 1891 before the Arbitrators appointed to enquire into, and settle the matters in dispute between the Government of the Dominion of Canada and the Canada Central Railway Company.

Numbers	Marks of Exhibits	Particulars of Documents.	Names of Lands or Localities referred to in the document	Specification of Lands referred to in the Documents	
				Survey No.	Extent Acrs. G.
1	A.	Document dated 18th April 1874 executed by Mimi Adam Lab and Isaiff Sab in favor of Lutha Sami.	1. Mallagundi Kovi Nelle Tan	177	9 7
	B.	Document dated 20th day 1874 executed by T. Veerapha and his wife in favor of Mimi Adam Sab and Co.	1. Mathadanane Thota	Part of 176 & R.S. No 368	14 8
			2. Mallagane Thota.		
			3. Vagadichalu Thota.		
			4. Pillala Thota attached to the dwelling house of the executants.		
			5 Gangavada Pitchai Thota		
			6 Mallavathina Thota.		
			7. Karagandi Thota.		
			8. A Thatched House in the Bellikanahalli village.		
2	C.	Document dated 10th January executed by the Bisagni Mahamuttariffa in favor of Chikkanna Chetty and Veerapha Chetty	1. Thamenhige Thota	Part of R.S. No 370	1 1 25
			2 Gandi Mitalu		
			3 Gandi Thota		
			4 Dodda Chinni Mitalu	Part of 176 R.S. No 370	2 24
			5 Bhootana Mitlalu		
			6 Jainsani Thota		

relate to the present dispute.

to Remark. See above.

...ceeding | Remark. The so-called "Gazikote Khola" and ...
Sri Shankar Sahu exchanged for ... the Dalimbadiwadi village, Taluk Sub-Registration ... to Mr. Ramchandra Rao, who at the ... in 1887 (three years ... since when he has ... Lying waste.

Prabhakar the agent of the Mathadipati ... (explanation, extent not stated) of Jamabandi ... during 60 years and 2 years, as ... in 1886 by the officials of the Dalimbadiwadi ... Taluk on the application of the Mathadipati ... for registering it in the name of ... Mathadipati (included) in the ... Registration No. 1 of 2 as not relating to the present dispute.

Proposed thereon is that note ... as ... relating to Document 'C' above.

Deputy Commissioner.

Under Protest.

in the document filed on behalf of Dakshina Pathaga
Sabha, as belonging to the Pariga

Serial Number of the Plaint Petition	Remarks as to the Settlement proceedings of the Land in dispute.
Name of present occupant	
8	9
Ammu Alamelu	The Taluk Surveyor's interested in that property described as Dakshina Sabha in this document by Ammu Ayyar and Adam Lal in the Land actually described against it by Statement A.
	The properties boundaries do not fall into present dispute.
Biographical	Property and remarks the Land as that entered against Plaintiffs document Exhibit B, by Statement A.

Deputy Commissioner
Salem District

Statement of the properties proposed to be sold [illegible]
1875 before the Sandra Chittaranjan Sub-Registrar [illegible]

Number of Property	Number of Document	Particulars of Documents filed in 1911	Name or Names or Details proposed to be in the Documents (Col. 3)	Specification of Stamp and Court-fees affixed		
				Sum: Number	Amount	Value of Property
1	2	3	4	5	6	
1	14	Document dated 12th January 1911 executed by one Nimai Chand Saha and Debabrata Saha in favour of the Darga	1 Debabrata Nimai Saha (Self) (Self by Admission dated)	1/-	2 1	
2	118	Sale Deed No. II of the Sub-Registry Office for the month of December 1874, pertaining to properties described and bounded in document dated 15th July 1874, executed by the Authorities of the Darga in favour of Syed Khalil Sah.	1 Sri Nimai Chandra Hora 2 Sri Nabin Chandra Hora 3 Sri Jatindra Nath Hazra - Hora	1/5	16 4	

Certified under the Indian Evidence Act, 1872, Section 76

6902
R 4128
Pet 525

Gen. 80.]

68

1898

From The Superintendent Survey

To,

The Chief Secretary to the Govt
Govt. of Mysore.

Genl and Revenue Departts

(R 465-82-47)

Dated 2nd March 98

Despatched

Received.

Enclosure No. with file 4 maps & 1 chart

General No. 643.
No.

In reply to Letter No. 922 of 1898 dated 27-98

SUBJECT

Submitting remarks on the subject of the Grants claimed by the Dattatreya Bababudan Durga and the Bisagni Matt in the Chikmagalur Taluk

Rep

Ans 24/3/98

References (to be entered only in the Dewan's Office).

Recd in Pet Dept
2/4/98

No 643

Survey Superintendent's Office
Bangalore 21st March 189

To
The Secretary to the
Government of Mysore
General and Revenue
Depart

Sir

I have the honor, with refere
to your letter No 1722 dated 9th Aug
R 4274-93
1893, and in continuation of my
letter No 313 of the 3rd November 189
to make the following remarks on t
subject of the Areas claimed by
the Dattatreya Bababudan Hi
and the Bisagni Matt, in the
Chikmagalur Taluk.

2. The point left undealt
with in my letter No 313 of the 3rd
November 1893 was the marking
on the Survey map of certain
boundaries

boundaries mentioned in Colonel

Porter's order of the 2nd August 1860

(A) and in the copy of the Petition

(B) dated 4th June 1860 addressed to

the Superintendent of Negro Division

by Malli Ayyar & Ranga in Tamil=

=dee of Biragni Patt.

3. I have had the boundaries

identified as far as possible and

have examined the Credit mega=

=ed Estate multi village map. Sheet

map C, herewith submitted, shows

the general position of the various

marks mentioned in A and B with

reference to the Pattakat village

and the new village of Alachal. The

latter village shown in red. There

is also shown the portion excised

from Pattakat and married on

No

area that is shown on small map
c as "reserved by Government"
can be deducted but, as I have
already stated, it will be very
difficult to do this without lea-
-ving a good many small
coffee Numbers.

5 I beg to submit for
Collection statement and only
await the orders of Government
to treat the villages of Mahak
and Pattaipit, each as a separate
village, and to assign to the portion
of Pattaipit excluded and shown
on small map c as "reserved
by the Government" a new name
as a Government village. With

this

a) annual the village mark, Dattatrei
fits c/o 1, in which all the lands
proposed to be assigned as the
Dattatreit grant, and which will
be constituted as the taluk and
district village, are included, and
considering the manner in which
the ascertainment, as more properly
speaking the "check" could be ascer-
tained with, and is necessarily,
effected, - the matter may
very readily be stated accord-
ingly. All lands are included.
Of course Government has every
right to reduce the total area to be
included in the new Dattatreit
Swami village and, if so directed,
I will see whether a still larger

area

the map "received by the Government".

4 So far as I can see the boundaries mentioned in A and B are not indicative of any undue inclusion of land in the new Khalsa village which contains the Imam of the Sirdari Watt. As regards Pattanpit the words mentioned in A and B do not virtually affect this village, excepting perhaps on the Eastern Boundary which according to A and B are now correctly shown. As regards the Western and Southern Boundaries of Pattanpit we have nothing to guide us.

5 I have again carefully

examined

this last mentioned object in view I will put myself in communication with the Deputy Commissioner and report further to Government.

I beg to return file, maps and all other papers received with the above under reply.

I have the honor to be
Sir
Your most obedient Servant
[signature]
Capt. Deputy Paymaster

Revised Valuation Statement of the Inam villages of Dattaripet and Mahal in the Chickmagalur Taluk

Village	occupied				Unoccupied				Whole or part Khrabetas		Total		Remarks
	Dry acres		Assessment (coffee)		Dry acres		Assessment (coffee)		acres	Assessment	acres	Assessment	
1	2		3		4		5		6	7	8	9	10
Dattaripet	881	31	1319	" "	329	1	794	4 "	188	9 "	1820	31 29 12 "	3231	23 1524	5 "
Mahal	661	32	988	12 "	194	18	291	12 "	92	15 "	930	24 17 8 "	1836	34 1079	3 "

Supt
Sagattellypore Rev.
Survey

Malaiyar

Kolguri

Vanniyar

Dattatrayapuram

Melnilavattiyar

Kilnilavattiyar

Vanniyar

Malaiyar

Kolguri

Melnilavattiyar

A

copy

Supdt. Mysore Red

B

Copy

Supdt. Vidyapur Rec
Survey

(69)

From

The Secretary to the
Government of Mysore.

Lands-Sar-48)

To

The Superintendent
Bangalore Rev: Survey.

Dated 4th

Despatched May/98

Received

General No. 1586 f (103)

R.No.27-93

Enclosure No.

His letter No 643 dated 21st March 1898, submitting the further report on the dispute regarding certain Inam lands between the Balabudan Durga and the Bisagni Pratt in the Chikmagalur Taluk.

With reference to the above he has the honour to state that out of the 5 Survey Maps that were forwarded with this office No $\frac{7230}{R.7.27-93}$ dated

2nd February 1925 My dear,

I've Kolyani Part II taken the new, received together with the two-copies of the above, and Sattvik Part I and II); and to request that the remaining 4 copies of the Kolyani Part I, Sattvik Part I and II and Mahal, may be returned to this office as early as practicable.

By Order

Asst-

Jt Secretary.

S.C.
4/5/25

Gen. 31.]

REVENUE DEPARTMENT
8151
MAY 9 1898
SURVEYOR GENERAL'S OFFICE

1898.

70

From The Supt. Mysore Res.
Survey.

L2245/82-579

To The Secretary to the
Government of Mysore
Genl. Revl. Dept.

Dated
Despatched } 6th May 1898
Received

General No. 795
No.

Enclosure No. four maps.

Secretary's Docket No
10610
Pet. 27-98 dt 6th May 1898.

Sirs the hons, as desired,
to forward four remaining
maps namely, Kolgani Part I,
Dattaripit Parts I and II and
Mahal.

For Supt Mysore Res'
Survey.

Return Mandel
9-5-98.

10/5

95

To The Supt of Rev Survey
Mysore.

No. 1268. P
PF 27-93 dt 12.8.98

Correspondence ending with
his letter No 643 dt 21/3/98
reporting on the claim
of the Babubudan Dugga
& Baraya Mutt

Referring to the above
& to para 5 of this Office
docket No 1922 dt 19/8/97
PF 27-93

has the honour to
request that the original
papers connected with
Col Porter's order dt 27/8/60
- of which a copy was
forwarded with the Survey Supt's

R 45-88-50

Ltr quoted above - Re may be
forwarded as early as
possible.

BV

12/8/95

16

REVENUE DEPARTMENT
Ch. No. 1180
AUG. 16 1898
DEWAN'S OFFICE

General Serial No. 30.

1898.

From The Superintendent Rent Survey

To The Secretary to the Govt of Bengal Exl & Rev Deptt

Dated 15th August 1898
Despatched
Received

Enclosures No. 3. three only

General No. 134
No.

1245-8-5-1

Secretary's Docket for 23rd inst
of 22nd July 98

23rd Instant.

I do not consider it desired, the original papers marked A and B in connection with Criminal Cases under ~~dated~~ 4th August 1898.

Superintendent Rent Survey

Petition A
15/8/98

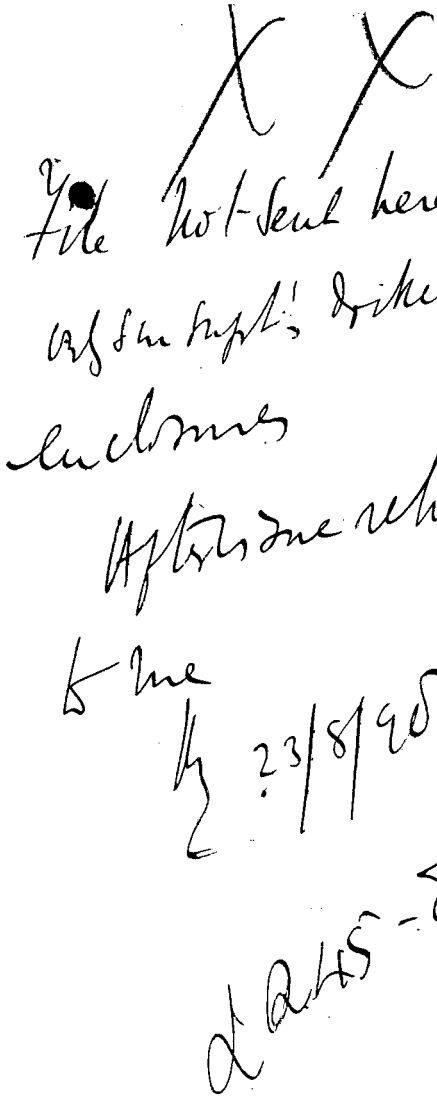
Rd on 18/8/98

Papers produced at
the Hearing on the 16/8/97
Mysore Kanakka
Notice of Disagree
ment - Dated 14th June/60
An Application defining
boundaries of Disagree
ment Enams. Marked (b).
Govt Orders defining
the kinds of Inaam Enams
dated 27th Aug/60. Marked (c).
16/8/97. O Krishnadevaraya.

(B)

"True Copy."

Deputy Commissioner
Kadapa



Urgent

77

To
The Secretary
Kadur

P
No 1434.
P.F. 27-93 3/23 23-8-98

Correspondence ending with Hardwicke.
No 737 S 18/5/98

In forwarding herewith
authenticated copy of
Col Bater's order ~~S 27/8/60~~
S 27th August 1860
I am to request that he will
so soon as he shall
the original papers
connected with the order

By

23/8/98

L&R 45-82-52 Vol I

78

To The Supt of Rev Survey
Mysore.

No 1804. Dated 3rd Sept 1898
P.T. 2793 3

Correspondence ending with his
letter No 643 of 21/3/98
regarding the claim of the
Dattatreya Durga & the Boundaries thereto
Inam

Referring to the above, I am the
honour to request that he
will be so good as to quote
the No & date of the order
passed under
forwarding a copy of the
order of Govt under which
Dattatreya was formed
into a separate Village out
of the ~~Village~~ lands of ~~Settlement~~
which
was referred to in his letter

No 11 & 7/4/84 to the

Secretary to the Dewan
as the authority for forming Dattapipli
into a separate village at the time of settlement.

3/9/85

Return Receipt
11/9/98 AK
Req. obtained from the Despatcher & put up

AK
10/9/98

Send the usual Card
& ask previous Returns
Req'd
by 10/9/98

Not Drafted
JE
12.9.98.

1845-82-53

General Serial No. 30.

REVENUE DEPARTMENT
Rec'd No. 1839
SEP. 11 1898
Ref. 11
CHIEF CLERK'S OFFICE

1898.

From The Lighthouse Rec' Surveyor

To The Secretary to the Board of Allyson Lighthouses

Dated 9th September 98

Despatched 10th September 98

Received 11th September 98

Enclosures No.

General No. 1846
No.

Secretary's Report of 1804 2-4-98
of the 3rd Instt.

To write home to request that the entire correspondence submitted with this Office letter No 343 dated 21st March 1893 with the Office file may be kindly returned to this Office in order to answer the Secretary's question

(80)

REVENUE DEPARTMENT
G. No. 1995
SEP 4 1893
1898 Ref-127
DENAI'S OFFICE

From The Deputy Commissioner,
Kaira District,

To The Secretary to Government
Genl. & Rev. Departments.

Petition
14/9
Ref 16/9 07.27.93 relating to Gowrishankar's case was submitted to the 2nd Councillor on 14-9-98

Ak
17/9/98
Subt to 2nd Councillor in Conft
17/9/98
RD 7.27.93

Dated 9th
Despatched 12th September
Received
General No. 140 / 1895-99.
No.

Enclosure No. 2.

In returning the authenticated copy of Colonel Porter's Rule No. 2, dated 27th August 1860, received with his No. 434 Ref. 7.27.93 dated 23rd August 1898, I have the honor to state that a thorough search in the Records of the District Office, Kopra and Chikhaligaon Taluka was made for the original

papers connected with the Order, and that no other paper, except the original of the copy (returned herewith) was found.

The original Order No. 295 dated 27th August 1860 of Colonel Porter, the then Superintendent of the Lagan Division, is enclosed for reference and favor of return when no longer required.

R. C. Lee
Deputy Commissioner
Kaduna N.A.

Am.S.

REVENUE DEPARTMENT
Gl. No. 2134
SEP 21 1898
Revn. No. 33
DEWAN'S OFFICE

General Serial No. 30.

1898 (82)

From The Supt. Mysore Survey

To The Secretary to the Government of Mysore Gen. & Rev. Depts.

Dated
Despatched } 20th September 1898.
Received

Enclosures No. one

General No. 208
No.

Correspondence ending with the Secretary's No. 220 / P.254 of the 5th Instant.

In returning the Office File of correspondence noted with the Secretary's No. 1854 / P.27-98 has the honor to forward as desired copy of Proceedings of the Chief Commissioner No. 5163-5 / R906 dated 9th December 1856 according sanction to the proposed resumption of certain

Ref. 21/7/98

0727 of 98 relating to the case was submitted to the 2nd Councillor on 14-9-98.

Rec'd 22/9.

AH 26/9/98

Subd to 2nd Councillor

27/9/98

27.9.98

7.9.98

Letter 22-54

certain small and depressed villages
into the adjoining villages in the taluk
Lakkadi Taluk. In the statement annexed
as above a remark regarding the effect that
Pattanipett is a newly formed village.

Dist.

Supdt. Mysore Rev
Survey

Proceedings of the Chief Commr
of Mysore

Revenue Department

Read:-

Survey Commissioner's Memo-
randum No. 985 of the 30th Nov: 1886.

Order thereon No $\frac{5163\text{-}5}{R906}$ dated
Bangalore 9th Dec 1886.

The proposed absorption of
certain small and depopulated
villages with the adjoining villages
in the Satvalli Taluk, as detailed
in the Statement submitted by
the Survey Superintendent is
sanctioned. The Officiating Deputy
Commissioner of Kadur is requested
to carry out the absorption at once
in view to the Census arrange-
ments being based thereon.

2. A draft Notification should
be

be submitted for publication in the Gazette in regard to the hamlet of Jigalimani proposed to be transferred from the Koppa Taluk in the above arrangement.

C/ C. Ranganathalu

Revenue Secretary'

To.

The Survey & Settlement Commr.
The Survey Superintendent.
The Offg. Deputy Commr Kadur District submitted by the Survey Superintendent.

"Copy"

Supt. Mysore Rev. Survey

Before the Court of Appeal

Present

Hon'ble Mr. Justice Rao Raghunath Singh
&
Hon'ble Mr. Justice Venkatarama Iyer

(85)

Appeal No 105 of 1949-51

Appts
Mr. Syed Ghouse Sha
Khadri Khan
Bahadur of Gulbarga-
post

Respts
1) Gulbarga
of Bicaganur
2) Mr. G. Brito
3) --- P. Brito
4) --- W. Brito

Subject

Claiming certain lands in Gulbarganur Taluk as Inam to Gulbarga post Dargah

---

Facts of the case

In their order No 710-11 J 7 28th April 1884, the Court decided, with reference to the claims advanced by the Gulbarga Dargah and Bicaganur Mutt to coffee lands, that though there was nothing to show how or when the Inams came into existence and what their Pujavari was, and it was clear that a great part of what was claimed by the Inamdar was Sirkar land encroached upon from time to time, yet, as a special act of concession, the two

Lpa 45-82-55

of Government. The Manager of the Durga mines that all the lands shown in the two villages mapped by the Survey Deptt as Dattabitfit No I and Dattabitfit No II belong to the Durga, that this fact was accepted by the Govt in their order No 710-11 of 23rd April 1884, that the village of Nalwad and its lands having been included by the Survey Deptt in Dattabitfit No II, the Mutt has no right to them, that under the said order of Govt, the Mutt was given only some lands in Kalgani and that the Dy Commr was not competent to investigate the claims of the Muttwad de novo. Bitlo.

6. The map Dattabitfit No II did not represent any existing village of that name. It was prepared by the Survey deptt, as

the Dy Commr had to enquire into a dispute between the Dargas and Mr Pinto regarding certain lands (Survey Nos 292, 293, 294 & 295) of the Irnasiri agraharam Estate, and the claims urged by both the Dargas and the Mutt in respect of the Mahal lands. Col. Campbell in his order of 31-12-38 considered the evidence adduced on both sides and decided that the 4 Survey Nos, referred to were not part of the Dargah Inam, but had been held independently of the Dargah by one Ibrahim Sahib and after him by Mr Pinto and that, as regards the village of Mahal, and the adjoining coffee lands, no evidence of actual enjoyment of them by the Dargah had been adduced, while the Mutt had produced evidence of enjoyment by it since 1840.

5. The present appeal is against the said order of the

institutions should be dealt with in a spirit of liberality, in view to maintain their prestige and provide them with sufficient funds for the due performance of the religious and charitable duties devolving upon them. Instructions were accordingly issued for the settlement of the Inams on $\frac{1}{4}$th assessment and submission of detailed statements showing the extent and assessment fixed.

2. In Sept 1887 the Manager of the Durga, the present appt, prayed that the Inam to the Durga might be confirmed free of rent, that the Bisagni must be not allowed an independent status and that lands added to Kalgani be rejoined to Dattadiri pt. He was informed by Govt of 13-12-87 that the orders already passed could not be modified.

3. In the course of the Settlement

as explained by the Survey Supt, to facilitate the settlement of the Banga coffee Inams, and the matter from the beginning had protested against the formation of a new village under that name so as to comprise all lands. The Survey Supt stated that the formation of this new village does not in the remotest degree affect the present claims of the institution and that the maps can be altered to suit any settlement of the dispute which may be come to.

7. Proceeding to settle the Inams upon the basis of Col: Campbell's decision of 31-12-62, the Survey Supt solicited instructions in regard to the treatment of the very large area of Sir Kharab and unoccupied assessed lands, amounting to 4805 and 749 acres respectively.

which

so stated as follows: —

"It has been held that the Grantees have not the least legal right to the extensive lands in question which include almost the whole of the upper rivers slopes and crests of the Sabarandan hills on their eastern and southern aspects. The alleged enjoyment by the Grantees of these wild, and unproductive lands has been entirely nominal and they have derived from them but little benefit of a substantial kind. I do not see why Govt should direct itself of its rights for ever, over an unnecessarily extensive area of country merely for the purpose of adding to the importance and dignity of the institutions which will remain tolerably endowed even after the deductions suggested

what exact lands should go to form this Town village, general topographical features, the reasonable requirements of the Darga, of the Mutt and of the communities concerned, and the application of Sanyasi Rangaiah should all be fully considered. He Govt further pointed out that the fact that a lot of land in which the Darga ~~has no claim~~ had no claim, had been originally measured into Dibbapalli village, was no reason why the same as a portion of it should not be excluded from it and added to the neighbouring villages, restricting the grant to the reasonable requirements of the Darga and Mutt. The Dy Commr accordingly submitted a statement to the Survey Supdt showing the lands proposed to be confirmed to the 2 institutions and in doing

What lies has been?
(illegible)

which had been mapped into Dattatreya No I and Dattatreya No II. The Survey Supdt observed - "There are kharaab lands have been mapped with the village, but thus, ipso facto, gives no right whatever. I am not aware of anything that the Durga could urge in support of the claim to these uncultivable lands beyond the fact that there have been no opposing interests to limit the boundaries." The Govt in their Progs No 4173-4/49 of 15th August/52 ordered that such occupied lands as were in the enjoyment of the 2 institutions together with such waste lands, whether arable or unarable, as would make compact and convenient blocks, should be granted to them as whole Inam villages and stated that in deciding

by me, in the accompanying statement, have been effected.

The Survey Supt., in subg the statement to Govt, states that on the whole both sections have been treated with identity as near the desire effected

7. The Lands proposed to be confirmed to these sections according to the above statement are as follows:—

	Occupied Coffee lands A. q. — accounts	unoccupied coffee lands A. q. accts	Sic Bharat Total A-g-1 Valuation A. q.
The Bargur & Dattanpit	881-31 - R 1319 — a	529-1-794 R a 4	1830-31-20-3331-23
The Mant of Malnad	661-32	188-12-194-18-291-12	980-24-17-8-1836-34

8 Dattanpit No 1 has been modified as above by the elimination of lands measuring 1855-9 a 38 and constituted a separate Jodi village by itself. Dattanpit No II has been treated as, 12 Kandas thereof being added to adjoining Govt villages and the rest as well as Bisagni Mutt Inams in Kalyani Part II formed into a village

called Madras. It is proposed that the existing rights if any of both institutions over the Cauliflore lands Sec 172 and other holy places should not be interfered with by this change.

The case was heard on ~~five~~ occasions, viz in 1891, 1893, 1894, 1896 & 1897. After the hearing in 1897, further reports were obtained from the Survey Supts and the Dy Commr on certain points and the case finally came up for hearing on 12th Sept 1901. [illegible]

Decree

The order 28th April 1884 was that a final order in the suit should be passed declaring the boundaries of the land either to the Dattatreya Devasthanam or to the Bisapur Matt. The question of the

Dunga

~~Dattadrupal~~ that the whole of the area comprised in the Survey maps of Dattadrupal Parts I & II was conceded to ~~the~~ it ~~Dunga~~ is clearly unsustainable. Nor is there anything in favour of the Dunga in the order of 13th ~~Dec~~ Nov 1887 which is relied upon by it but which merely declined to reconsider the order of 1884. If any further elucidation of the order of 1884 were required, it will be found in the order of 15/8/89 which clearly

of waste (marble dust) be eliminated from Parts I & II of Patta Jain observed & fort the Mutt does not complain against this proposed settlement while the Dhiyas contends on grounds manifesto mainly with that (1) the constitution of "Mahal & its assignment to the Mutt ~~under these~~ ~~Deputation of Mahal~~ and (2) the reservation of 2700 - a 9/4 of waste & fort have the effect of depriving it of a large

proposed were unduly
large and that a contribu-
tion was not undesirable
Then came the final
proposal from the
Supt. of Rev. Survey
that 881 a. 3 r. 31 p. of land
under actual occupation
Folios 2349-32 a. 9 p. of
cultivable and uncultivable
waste be constituted
a new village to be
called "Dattadrpet"
and given to the Dhara-
and that 1836-34 a. 9 p.
of land be confirmed
to the Ryots under the
designation of "Mahal"
and that Nos 2700-4

laid down that the
Dunga's claim to
the whole of the arable
and unarable waste
included in the Survey
Maps of Dattadrupa
Parts I & II was
inadmissible and
that all that could
be given to the Dunga
was so much of that
land as could make
it into a compact
block and as was sufficient
to meet its reasonable
requirements. On a
subsequent reference
from the Collr & the
Asst Supt in the
abn of 12/8/90 expressed
the opinion that the assignment

area of land to wh
its title was recognized
by the order of 1884
which was reaffirmed
by the order of 1887
The Dewan takes its
stand entirely upon
the Survey maps of
Dattadrpur Part I
& II and in so
doing it assumes
what there is no
warrant for doing
that the Govt admitted
its claim to the
whole of the land
included in them
which certainly was

but the case, the
Recognition or the
the concession having
been limited to the
mere mode actual
enjoyment the
assignment proposed
is liberal and is
in no way unfair
to the Dewga whose
appeals & representations
are but entitled
to success in so
far as they relate
to the two items above
referred to & the
matters on which the
Dewga was put
forward is preserved
have been reserved

Pr Separate
adjudication

717–18
No 27–93 & 3.10.01.
5

Copies of the above are forwarded to the Asstt Kadam Dt for the Asstt Engr Tofalka with the records received from them with ten letters noted in the margin

Sec 4

18/9/01

The records may be made over to the Asstt Engr Tofalka from 1.11.901 &c

Press copy sent 8/10
Instn/Pr Wm 8/10

X
From the Dy Engr Kadam Dt

(1) No 571 & 16/3/91
(2) No 454 & 2/12/91
(3) No 456 & 2/12/91
(4) No 410 & 10/2/94
(5) No 524 & 24/11/98
(6) No 733 & 19/5/98

From the Asstt Engr Shirpal

(1) No 190 & 5/7/89.
(2) No 225 & 15/7/90
(3) No 495 & 16/10/90
(4) No 14 & 13/8/97
(5) No 313 & 8/11/97
(6) No 643 & 21/3/98
(7) No 795 & 6/5/98

BEFORE THE GOVERNMENT OF MYSORE.

PRESENT:

V. P. MADHAVA RAO, ESQ., C. I. E.

AND

C. SREENIVASIENGAR, ESQ.

Appeal No. 1059 of 1890-1891.

Appellant	*Versus*	Respondents
Mr. Syed Ghouse Sha Khadri, Khan Bahadur of Dattatripit.		1. Puttusamaiya of Bisagni Matt. 2. Mr. G. Brito. 3. „ P. Brito. 4. „ W. Brito.

Subject.

Claiming certain lands in Chikmagalur taluk as Inam to Dattatripit Darga.

Facts of the case.

In their Order No. 710-11—7, dated 28th April 1884, the Government decided with reference to the claims advanced by the Dattatripit Darga and Bisagni Matt to coffee lands, that though there was nothing to show how or when the inams came into existence and what their bijavari was, and it was clear that a great part of what was claimed by the makandar was Sirkar land encroached upon from time to time, yet, as a special act of concession, the two institutions should be dealt with in a spirit of liberality in view to maintain their prestige and provide them with sufficient funds for the due performance of the religious and charitable duties devolving upon them. Instructions were accordingly issued for the settlement of the inams on ¼th assessment and submission of detailed statements showing the extent and assessment fixed.

(2) In September 1887, the Manager of the Darga, the present appellant, prayed that the inam to the Darga might be confirmed free of quit-rent, that the Bisagni Matt be not allowed an independent status and that lands added to Kalgave be rejoined to Dattatripit. He was informed by endorsement, dated 13th December 1887, that the orders already passed could not be modified.

(3) In the course of the settlement, the Deputy Commissioner had to enquire into a dispute between the Darga and Mr. Brito regarding certain lands (S. Nos. 292, 293, 294 and 295) of Menasinagundi estate and the claims urged by both the Darga and the Matt in respect of the Mahal lands. Col. Campbell in his order, dated 31st December 1888, considered the evidence adduced on both sides and decided that the four Survey numbers referred to were not part of the Darga inam, but had been held independently of the Darga by one Moindeen Alli and after him by Mr. Brito and that as regards the village of Mahal and the adjoining coffee lands, no evidence of actual enjoyment of them by the Darga had been adduced, while the Matt had produced evidence of enjoyment by it since 1840.

(4) The present appeal is against the said order of the Deputy Commissioner. The Manager of the Darga urges that all the lands shown in the two villages mapped by the Survey Department as Dattatripit No. I and Dattatripit No. II belong to the Darga, that this fact was accepted by the Government in their Order No. 710-11—7, dated 28th April 1884, that the village of Mahal and its lands having been included by the Survey Department in Dattatripit No. II, the Matt has no right to them, that under the said Order of Government, the Matt was given only some lands in Kalgave and that the Deputy Commissioner was not competent to investigate the claims of the Matt and of Mr. Brito.

(5) The map Dattatripit No. II did not represent any existing village of that name. It was prepared by the Survey Department, as explained by the Survey Superintendent, to facilitate the settlement of the Darga coffee inams, and the Matt, from the beginning, had protested against the formation of a new village under that name so as to comprise its lands. The Survey Superintendent states that the formation of the new village does not in the remotest degree affect the present claims of either institution and that the maps can be altered to suit any settlement of the dispute which may be come to.

(6) Proceeding to settle the Inams upon the basis of Col. Campbell's decision, dated 31st December 1888, the Survey Superintendent solicited instructions in regard to the treatment of the very large area of ain kharab and unoccupied assessed lands amounting

1901-1902

GOVERNMENT OF MYSORE

PETITION

PROCEEDINGS

Dated 5th October 1901

No. 717-18
P. F. 27-93

Directing that 881 acres and 31 guntas of land under actual occupation, plus 2,349 acres and 32 guntas of culturable and unculturable waste be formed into a village called "Dattatripit" and given to the Bababudan Darga, Kadur district; that 1,836 acres and 34 guntas of land be confirmed to the Bisagni Matt under the designation of "Mahal"; and that 2,700 acres and 4 guntas of waste, be eliminated from the old maps of Dattatripit, Parts I & II, and reserved to Government.

SBP—22-10-01—200

Petition, dated 5th October 1901.

Government in their Order, dated 12th August 1890, expressed the opinion that the assignments proposed were unduly large and that a curtailment was not undesirable. Then came the final proposal *from the Superintendent of Revenue Survey* that 881 acres and 31 guntas of land under actual occupation plus 2,349 acres and 32 guntas of culturable and unculturable waste be constituted a new village to be called "Dattatripit" and given to the Darga and that 1,836 acres and 34 guntas of land be confirmed to the Matt under the designation of "Mahal" and that 2,700 acres and 4 guntas of waste (arable and unarable) be eliminated from Parts I and II of Dattatripit and reserved to Government. The matt does not complain against this proposed settlement, while the Darga contends on grounds manifestly inadmissible that (1) the constitution of "Mahal" and its assignment to the Matt and (2) the reservation of 2,700 acres and 4 guntas of waste to Government have the effect of depriving it of a large area of land to which its title was recognized by the order of 1884 which was re-affirmed by the order of 1887. The Darga takes its stand entirely upon the Survey maps of Dattatripit Parts I and II and in so doing it assumes what there is no warrant for doing that the Government admitted its claim to the whole of the land included in them which certainly was not the case, the recognition or rather the concession having been limited to the area under actual enjoyment. The assignment proposed is liberal and is in no way unfair to the Darga whose appeals and representations are not entitled to succeed in so far as they relate to the two items above referred to. The other matters on which the Darga has put forward its grievances have been reserved for separate adjudication.

No. 717-18—P. F. 27-93, DATED BANGALORE, 5TH OCTOBER 1901.

Copies of the above are forwarded to the Deputy Commissioner, Kadur district, and the Superintendent of Revenue Survey, together with the records received from them with their letters noted below :—

From the Deputy Commissioner.	From the Survey Superintendent.
1. No. 511, dated 16th March 1891.	1. No. 190, dated 5th July 1889.
2. „ 454, dated 2nd December 1891.	2. „ 225, dated 15th July 1890.
3. „ 456, dated 2nd December 1891.	3. „ 495, dated 16th October 1890.
4. „ 416, dated 10th February 1894.	4. „ 146, dated 13th August 1897.
5. „ 524, dated 24th January 1898.	5. „ 313, dated 8th November 1897.
6. „ 737, dated 19th May 1893.	6. „ 643, dated 21st March 1898.
	7. „ 795, dated 6th May 1898.

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

Exd.—J.T.R.

to 4,805 and 929 acres, respectively, which had been mapped into Dattatripit No. I and Dattatripit No II. The Survey Superintendent observed, "These ain kharab lands have been mapped into the village, but this *ipso facto* gives no right whatever. I am not aware of anything that the Darga could urge in support of the claim to these unculturable lands beyond the fact that there have been no opposing interests to limit the boundaries." The Government in their Proceedings No. 4173-4—49, dated 15th August 1889, ordered that such occupied lands as were in the enjoyment of the two institutions together with such waste lands, whether arable or unarable, as would make compact and convenient blocks, should be granted to them as whole inam villages and stated that in deciding what waste lands should go to form these inam villages, general topographical features, the reasonable requirements of the Darga, of the Matt and of the communities concerned should all be fully considered. The Government further pointed out that the fact that a lot of land to which the Darga had no claim, had been originally measured into Dattatripit village, was no reason why the same or a portion of it should not be excluded from it and added to the neighbouring villages, restricting the grant to the reasonable requirements of the Darga and Matt. The Deputy Commissioner accordingly submitted a statement to the Survey Superintendent showing the lands proposed to be confirmed to the two institutions and in doing so stated as follows :—"It has been held that the inamdars have not the least legal right to the extensive lands in question which include almost the whole of the upper inner slopes and crests of the Bababudan hills on their eastern and southern aspects. The alleged enjoyment by the inamdars of these wild and unproductive lands has been entirely nominal and they have derived from them but little benefit of a substantial kind. I do not see why Government should divest itself of it rights for ever, over an unnecessarily extensive area of country merely for the purpose of adding to the importance and dignity of the institutions which will remain liberally endowed ever after the deductions suggested by me, in the accompanying statement, have been effected."

(7) The Survey Superintendent in submitting the statement to Government, states that on the whole both institutions have been treated with liberality as was the desire of Government.

(8) The lands proposed to be confirmed to these institutions according to the above statement are as follows :—

	Occupied coffee lands.		Unoccupied coffee lands		Ain kharab.		Total.
	Extent.	Assessment.	Extent.	Assessment.	Extent.	Valuation.	
	A. g.	Rs. a	A. g.	Rs. a.	A. g.	Rs. a.	A. g.
The Darga or Dattatripit ...	881 31	1,319 0	529 1	794 4	1,820 31	30 0	3,231 23
The Matt or Mahal ...	661 32	988 12	194 18	291 12	980 24	17 8	1,836 34

Dattatripit No. I has been modified as above by the elimination of tracts measuring 1,355 acres and 38 guntas and constituted a separate jodi village by itself. Dattatripit No. II has been broken up, 12 numbers thereof being added to adjoining Government villages and the rest as well as Bisagni Matt inams in Kalgave Part II, formed into a village called Mahal. It is proposed that the existing rights, if any ; of both institutions over the Galikere tank No. 173 and other holy places should not be interfered with by this change.

(9) The case was heard on five occasions, *viz.*, in 1891, 1893, 1894, 1896 and 1897. After the hearing in 1897, further reports were obtained from the Survey Superintendent and the Deputy Commissioner on certain points, and the case finally came up for hearing on 12th September 1901.

Decision.

The Order, dated 28th April 1884, was not a final order in the sense that it confirmed or granted any particular extent of land either to the Dattatripit Darga or to the Bisagni Matt. The contention of *the Darga* that the whole of the area comprised in the Survey maps of Dattatripit Parts I and II was conceded to it is clearly unsustainable. Nor is there anything in favor of the Darga in the Order, dated 13th December 1887, which is relied upon by it, but which merely declined to reconsider the order of 1884. If any further elucidation of the order of 1884 were required, it will be found in the Order, dated 15th August 1889, which clearly laid down that the Darga's claim to the whole of the arable and unarable waste included in the Survey maps of Dattatripit Parts I and II was inadmissible and that all that could be given to the Darga was so much of that land as would make its inam a compact block and as was sufficient to meet its reasonable requirements. On a subsequent reference from the Deputy Commissioner and the Survey Superintendent,

Before the Govt. of Mysore

(86)

Present,

V. P. Madhava Rao Esq C.S.I.

and

C. Seshaiengar Esqre.

Appeal Petition No. 1059 of 1899-9

Appellant

Mr. Syed Ghouse Saheb Khan

Khan Bahadur, (since deceased)

represented by his nephew

Syed Mailigya Saheb Khan

by

Advocate Mr. B. Seshaiengar

Respondents.

1. Mr. C. Britto
2. Mr. P. Britto
3. Mr. W. Britto
4. Dr. Lyons Smith

Subject.

Claim to Survey Numbers 292 to 295 of Nanjanagud Taluk Chikanayakanahalli Taluk as forming part of Dattatrejai Durga Inam lands.

Facts of the case

In their order No. 710-11 R 7

LRP-82-5/6

Draft for the appt of 1st & 2nd Counsel

31/7/02

PV/8/02

Sh

Sheriff 5/8

Counsel 8/1902

Put up Cists

16/8/02

dated 28th April 1884, the
Govt., while observing that
the Claim of the Appellant
as manager of the Devga
to hold as Inam the lands
included in the new village
of Dallatreyapeta in-
Chikmagalur Taluk was
weak and unsupported
by the Jamabandi or other accounts
decided to confirm the
lands in the enjoyment
of the Devga as Inam on
the quit-rent in view of
the antiquity and importance
of the institution and
decided the introduction
of a permanent settlement
of the lands under the Ryotwari
rules.

(2). In proceeding to carry
out the above order, the
Dy. Comm., Kadur Dist.,
found that the Nirvagni
Matt and the B.A.C., Basle
Severally claimed certain
lands in the Dattatreyapeta
village, the one on the ground
of long possession and the
other under a decree in
O.S. No. 1 of 1879 on the
file of the District Judge
of Kadur Dt. and that there

was also a large extent
of jungle khaal and unoccu-
-pied waste lands. In
his order dated 31st Decem-
-ber 1880 the Dy. Commr.
(Col. J. A. Campbell) decided
that the lands L. Nos 292, 293
294 and 295 which the
B. A. Britto claimed to
hold under the deeds did
not belong to the Dunga
on the ground that he has
exercised a threat dispute
rights of ownership over
the lands in question since
1879, and that according
to the evidence of witnesses
friendly to the Dunga or
inimical to the B. A. Britto
the lands in question
formed part of the lands
described in the deeds in
O. S. No. 1 of 1879. The Dy.
Commr., also allowed
the claim of the Maatt to
the lands claimed by it
and further decided
that the Dunga was not
entitled to hold any portion

The Enclosures Sent to the
Dy. Comm. & the Survey Dept —
have been separately arranged by
me to facilitate despatch

pm

Further Rs. to be sent to D.C. on 24/9/02 22/8/02

Decision.

The Govt. have given the case every consideration and find no reason to dissent from the finding of the Dy. Commr. that the lands in question do not belong to the Darga ~~Trust~~, represented by the appellant.

No. 268-9 / 27-93 } 21.8.02. Encl: Records

Copy forwarded to the Dy. Commr., Madura Dt., and the Supdt. of Rev. Survey, in Myavaram together with the records received from them with their letters noted below:-

From Commr.	From the Survey Supdt.
1. No. 511 d 16th March 1871	1. No. 196 d 5th July 1889
2. " 464 d 2nd Dec. 1891	2. " 225 d 15th July 1890
3. " 456 d — do — do —	3. " 495 d 16th Oct. 1890
4. " 416 d 10th July 1894	4. " 146 d 13th May 1897
5. " 524 d 24th May 1898	5. " 313 d 8th Nov. 1897
6. " 737 d 19th May 1898	6. " 643 d 21st March 1899
7. " 586 d 13th Feb. 1884	7. " 795 d 6th May 1899
8. " 140 d 3rd Feb. 1898	8. " 73 d 11th April 1883

Secretary

C+2

Press copy sent 23/8

31/7/02

of Dattatrayapatna Part II a,
Inam.

3. Against the above
Order the appellants
appealed to Govt. and in
their decision dated
5th October 1901 the
Govt. disposed of the
claims of the Durga &
Ain Khanah and encroachment
-Occupied lands and to
the lands alleged by
the Dy. Commr. belong
to the math. In regard to
the points still unresolved
of the appellant contend
that the Dy. Commr. had
no jurisdiction to inquire
into the complaints of
Mr. B.A. Britto and that
it is immaterial from
whom he pays the assessment,
to the Durga or the
Govt.

4. The first three
respondents are the sons
of Mr. B.A. Britto (now
deceased) and the 4th
respondent is the mortgagee
of S. No. 272 and 273.

1902-03

GOVERNMENT OF MYSORE

PETITION

PROCEEDINGS

Dated 21st August 1902

No. 268-9 / P. F. 27-93

Concurring in the finding of the Deputy Commissioner, Kadur District, that lands Survey Nos. 292 to 295 of Menasinagundi Estate, Chikmagalur Taluk, do not form part of Dattatripita Darga inam lands, and dismissing the appeal of the manager of the Darga.

SBP—29-8-02—200

BEFORE THE GOVERNMENT OF MYSORE.

PRESENT:

V. P. MADHAVA RAO, ESQ., C.I.E.,

AND

C. SREENIVASIENGAR, ESQ.

Appeal Petition No. 1059 of 1890-91.

Appellant	*versus*	Respondents
Mr. Syed Ghouse Sha Khadri, Khan Bahadur, represented by his nephew Syed Mrityuja Sha Khadri—by Advocate Mr. B. Srinivasiengar.		1. Mr. G. Britto 2. ,, P. Britto 3. ,, W. Britto 4. Dr. Sydney Smith.

Subject.

Claim to Survey Nos. 292 to 295 of Menasinagundi Estate, Chikmagalur Taluk, as forming part of Dattatripita Darga inam lands.

Facts of the Case.

1. In their Order No. 710-11—R. 7, dated 28th April 1884, the Government, while observing that the claim of the appellant as manager of the Darga to hold as inam, the lands included in the new village of Dattatripita in Chikmagalur Taluk, was weak and unsupported by the Jari or other accounts, decided to confirm the lands in the enjoyment of the Darga as inam on ¼th quit-rent, in view of the antiquity and importance of the institution, and directed the introduction of a permanent settlement of the lands under the Coffee Rules.

2. In proceeding to carry out the above order, the Deputy Commissioner, Kadur District, found that the Bisagni Matt and Mr. B. A. Britto severally claimed certain lands in the Dattatripita village, the one on the ground of long possession, and the other under a decree in Original Suit No. 1 of 1879 on the file of the District Judge of Nagar Division, and that there was also a large extent of ain kharab and unoccupied assessed lands. In his order dated 31st December 1888, the Deputy Commissioner (Colonel J. A. Campbell) decided that the lands Survey Nos. 292, 293, 294 and 295, which Mr. B. A. Britto claimed to hold under the decree, did not belong to the Darga on the ground that he had exercised without dispute rights of ownership over the lands in question since 1879, and that, according to the evidence of witnesses friendly to the Darga or inimical to Mr. B. A. Britto, the lands in question formed part of the lands described in the decree in Original Suit No. 1 of 1879. The Deputy Commissioner also allowed the claim of the Matt to the lands claimed by it, and further decided that the Darga was not entitled to hold any portion of Dattatripita Part II as inam.

3. Against the above order the appellant appealed to Government, and in their decision, dated 5th October 1901, the Government disposed of the claims of the Darga to ain kharab and assessed unoccupied lands and to the lands adjudged by the Deputy Commissioner to belong to the Matt. In regard to the points still undisposed of, the appellant contends that the Deputy Commissioner had no jurisdiction to enquire into the complaints of Mr. B. A. Britto and that it is immaterial to whom he pays the assessment, to the Darga or to the Government.

Petition, dated 21st August 1902.

4. The first three respondents are the sons of Mr. B. A. Britto (now deceased), and the fourth respondent is the mortgagee of Survey Nos. 292 and 293.

Decision.

The Government have given the case every consideration and find no reason to dissent from the finding of the Deputy Commissioner, that the lands in question do not belong to the Darga represented by the appellant.

No. 268-9—P. F. 27-93, DATED BANGALORE, 21ST AUGUST 1902.

Copy of the above is forwarded to the Deputy Commissioner, Kadur District, and the Superintendent of Revenue Survey in Mysore, together with the records received from them with their letters noted below :—

From the Deputy Commissioner.	From the Survey Superintendent.
1. No. 511, dated 16th March 1891.	1. No. 190, dated 5th July 1889.
2. ,, 454, dated 2nd December 1891.	2. ,, 225, dated 15th July 1890.
3. ,, 456, ditto.	3. ,, 495, dated 16th October 1890.
4. ,, 416, dated 10th February 1894.	4. ,, 145, dated 13th August 1897.
5. ,, 524, dated 24th January 1898.	5 ,, 313, dated 8th November 1897.
6. ,, 737, dated 19th May 1898.	6. ,, 643, dated 21st March 1898.
7. ,, 586, dated 13th February 1884.	7. ,, 795, dated 6th May 1898.
8. ,, 140, dated 9th September 1898.	8. ,, 73, dated 11th April 1883.

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

Exd.—C.V.

LR 45-82-57 Pi (87)

No. 1059 4

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT,

The 29 - 8 - 1902

ENDORSEMENT GRANTED TO Mr. B. Seetharama advocate for applicant Relative to Chenna Shetty of Nalkandoor hills, Chickmagalur Taluk.

in reply to the Applt's Petition Registered No. 1059 dated 9th Augt appealing against the order of the Dy. Commr., Kadur dismissing & recognize the appellant's claim to Inda Survey Nos. 292 & 295 of Nandanam Gowri estate, Chickmagalur Taluk as part of Kallathipet Dunga Inam.

Petitioner is informed that the Govt. find a reason to dissent from the finding of the Dy. Commr. that the lands in qn do not belong to the Dunga represented by the appellants. Fuels are returned

By order

R 270 & 21.8.02
P.Z. 27-93

Copy forwarded to Mr. Sidney Smith, District Judge, Kadur, with reference to Kadur letter dated 30th July 1897.

By Order,

Secretary